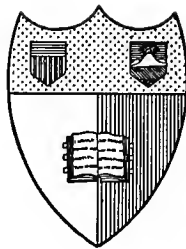


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OF THE
CINQUE PORTS





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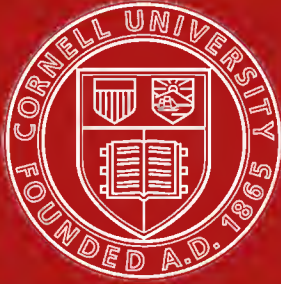
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THE BARONS OF THE
CINQUE PORTS,
AND THE
PARLIAMENTARY REPRESENTATION
OF
HYTHE.

BY GEORGE WILKS, ESQ., TOWN CLERK.

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THE BARONS OF THE CINQUE PORTS, AND THE PARLIAMENTARY REPRESENTATION OF HYTHE.

BY THE TOWN CLERK.

AUTHORITIES : Lords' Committee's Reports touching the Dignity of a Peer of the Realm ; Parliamentary Return of Members ; Stubbs' Select Charters ; Stubbs' Constitutional History ; and the Hythe Town Records.

HYTHE is indebted to Simon de Montfort, the celebrated Earl of Leicester, for its separate right to Parliamentary Representation. In the War between Henry III. and his Barons, the Cinque Ports took part with the Barons ; on the 14th May, 1264, the Royal Army was defeated at Lewes, whither the Barons had hurried with 15,000 Londoners to the relief of the Cinque Ports, the King was taken prisoner, and his son, Prince Edward, soon after surrendered to the victorious Earl.

On 14th December, 1264, Writs for the Parliament of 1265 were issued by the Earl in the King's name, the representatives of Towns being summoned for the first time. The Writs were tested at Worcester, and addressed to the Archbishop of York, and to the Bishops, Priors, and other Church dignitaries. The Writ addressed to the Bishop of Durham (the other special writs being in the same form) recited that owing to the disturbances which had taken place, Prince Edward had been delivered as a hostage "pro pace in regno assecuranda et firmanda" (for assuring and establishing peace in the Kingdom) ; and that the disturbances having been quieted, for the purpose of providing for his deliverance and for the full security and tranquillity of peace, to the honour of God and benefit of the whole Kingdom, and for other affairs which without the advice of the Bishop "et aliorum prælatorum et magnatum nostrorum" (and others of our Prelates and

Magnates) the King would not dispatch, it became necessary for the King to have a Conference with them. The Writ then commanded the Bishop to be in London at the Octave of St. Hilary, "*nobiscum et cum prædictis prælati et magnatibus nostris, quos ibidem vocari fecimus, super præmissis tractaturi, et consilium vestrum impensuri.*" (to treat with us and with our aforesaid Prelates and Magnates, whom we have caused to be called there, touching the premises, and to impart your counsel.) Similar Writs attested at Woodstock were issued in the same month (December) to other Church dignitaries, and to the Earl of Leicester and twenty-two other Magnates, but to no other laymen, so far as appears by the record.

Besides these Writs there are mandates to the Sheriffs of the Counties to send two Knights from each Shire, and to the Cities of York and Lincoln and other Boroughs to send each two Burgesses; and the mandates to the Cinque Ports are first of all briefly summarised as follows:—

"Item in forma prædicta mandatum est baronibus et probis hominibus "Quinque Portuum prout continetur in brevi irrotulato inferius." (Also in the form aforesaid it is commanded to the Barons and good men of the Cinque Ports, as it is contained in the Writ enrolled below).

The Writs to the Cinque Ports are then fully recorded in the following words:

"Rex baronibus et ballivis portus sui de Sandwico salutem."

"Cum prælatos, magnates, et nobiles regni nostri, tam pro negocio "liberationis Edwardi primogeniti nostri, quam pro aliis communitatem regni "nostri tangentibus, ad instans Parliamentum nostrum, quod erit London' in "octabis Sancti Hilarii convocari fecerimus, ubi vestra sicut et aliorum fidelium "nostrorum præsentia plurimum indigemus: vobis mandamus, in fide et "dilectione quibus nobis tenemini, firmiter injungentes, quod, omnibus aliis "prætermisissis, mittatis ad nos ibidem quatuor de legalioribus et discretioribus "portus vestri, ita quod sint ibi in octabis prædictis, nobiscum et cum prælati "et magnatibus regni tractaturi, et super præmissis auxilium impensuri, &c."

"Similiter mandatum est singulis portubus per se."

(The King to the Barons and Bailiffs of his Port of Sandwich, greeting. Whereas we have convoked the prelates, magnates, and nobles of our Kingdom, as well for the matter of the liberation of Edward our first born, as for other matters touching the Commonalty of our Kingdom, to our forthcoming Parliament, which will be in London at the Octave of Saint Hilary, where we greatly need your presence, as also that of others our lieges: we command you, by the faith and affection with which you are bound to us, strictly

enjoining, that, putting all other things aside, you do send to us there four of the most lawful and discreet men of your Port, so that they be there in the Octave aforesaid, to treat with us and with the Prelates and Magnates of the Kingdom, and to render aid concerning the premises, &c.

In like manner it is commanded to each of the Ports by itself.)

The Bailiff for Sandwich was the "Speaker" for this year, and this may account for the Town being specially named in the Writ. The "Speaker" was the Chairman or presiding officer at the meetings of the Cinque Ports, and the Bailiff of each Port took the office in yearly rotation.

It will be noticed that the Writ to the Bishop of Durham speaks only of conference with him and the "other Prelates and Magnates;" no mention being made of the Representatives of the Shires, Cities, Boroughs, and Cinque Ports who were required to attend the same assembly.

In the Writs to the Cinque Ports they are commanded to send four men from each Port to treat with the King, and with the Prelates and Magnates, on the subjects mentioned in the Writ, the Representatives of the Shires, Cities, and Boroughs not being noticed.

The summons was to the House of Lords, not to a meeting of Knights and Burgesses, and this would account for the omission of any reference to the representatives of the Shires, Cities, Boroughs and Cinque Ports.

York and Lincoln were the only two cities which were required to send Representatives according to the record. Even the City of London is not mentioned, but the seal of the Mayor and Commonalty of London was affixed to the agreement which will be noticed presently, and the Mayor must therefore have been present, though in what capacity he attended, or by what authority the seal was affixed, does not appear. Other Cities may have been included under the words "*et cæteris burgis Angliæ*" (and to the other Boroughs of England), or they may have been inadvertently omitted from the roll, the entry being evidently inaccurate. None of the Magnates were summoned by the title of Baron.

The King was a prisoner in the hands of the Earls of Leicester and Gloucester, and the twenty-three Magnates summoned were all of the Earls' party. Those Magnates who had adhered to the King were not summoned.

The number of Ecclesiastics summoned was 122, and included Deans, Abbots, and Priors.

The Counties were in the custody of the Keepers of the Peace appointed by the Barons, and the influence of the Earl of Leicester's party would prevail

at the Elections of the Knights of the Shires. Such Cities or Boroughs as were well-disposed towards the King may not have been called upon to send Representatives, for as before mentioned, only two Cities—York and Lincoln—are named in the record, and it is not stated what Boroughs were required to do so.

The Cinque Ports were zealous partisans of the Earl of Leicester. The Clergy were generally devoted to the same party.

This Parliament was evidently, therefore, a party assembly. On its meeting an agreement was made for the liberation of Prince Edward, the King's eldest son, and of his cousin Henry, son of Richard King of the Romans, who had been delivered as hostages to the Earl of Leicester and the Barons of England. It provides that the Ordinance passed in the previous year, known under the title of "*Forma regiminis domini Regis et Regni*" (Form of the Government of the Lord the King and of the Kingdom), was to be maintained, and the King was to command and enjoin, and the Prince was to require "*as hanz hommes e au commun de la terre*" (from the great men and the Commons of the land) residing in every county, that the Ordinance should be strictly kept. It was also covenanted that neither the King nor Prince Edward should aggrieve the Earls or their adherents, or the people of London or of the Cinque Ports, on account of what had been done, and that if the King or Prince should act against the Peace or Ordinance, or aggrieve the Earls or their adherents, "*les hanz hommes et les communs de la terre*" (the great men and the Commons of the land) should be against them to grieve them to the utmost of their power, and should obey them in nothing until those things should be amended; and an oath was taken by the King and Prince to the above effect.

There were also provisions for placing Chester, Dover, and other Castles in the hands of the Earl, all tending to put the King and Prince in the power of the Earl of Leicester and his party.

The first Parliament in which the Cinque Ports were thus called upon to take part was one of the most momentous in English history; they had to consider the terms under which they would release the King and the Prince, against whom they had rebelled, and how they could be protected from the retaliation which would in those days be sure to follow such an act of rebellion when the Royal power became again predominant. In the agreement they are specially named with others, as not to be "aggrieved" by the King on account of what had been done in the time of the late troublous war.

The question whether the Cinque Ports were ever represented in the Great Councils of the kingdom, previously to 49 Hen. III., either by special writ of summons or in their representative capacity, is one upon which there has been considerable difficulty and doubt.

“No public instrument (says Hallam in his *Middle Ages*, volume 2 p. 75) previous to the 49th of Hen. III., names the Citizens and Burgesses as constituent “parts of Parliament, though Prelates, Barons, Knights, and some-
“times Freeholders are enumerated;” and in a note appended, quoting from Matthew Paris, he adds—“The only apparent exception to this is in a letter
“addressed to the Pope by the Parliament of 1246, the salutation of which
“runs thus: ‘Barones, procures, et magnates, ac nobiles portuum maris habita-
“tores, necnon et clerus et populus universus.’ (The Barons, Lords,
“and Magnates and the noble (honourable) inhabitants of the Sea-ports, and
“also the Clergy and the whole people.)—Matt. Paris, p. 696.

Hallam observes on this—“It is plain I think from these words, that some
“of the Chief Inhabitants of the Cinque Ports, at that time very flourishing
“towns, were present in this parliament. But whether they sat as Representa-
“tives or by a peculiar Writ of Summons, is not so evident: and the latter may
“be the more probable hypothesis of the two.”

Notwithstanding the above observation of Hallam, it is doubtful if Bishops, Earls, Barons, Abbots, and Priors, were not the only persons present, the grievances of the country from Papal exactions were detailed in letters addressed separately from the Bishops for themselves, the Abbots for themselves, the Priors for themselves, and from the Earls (by name) for themselves and the rest of the Kingdom.

All the persons specified as concurring in the last mentioned letter, could not have been present at the assembly, and could not have been deemed to have concurred except through the medium of the Earls and Barons mentioned by the historian Matthew Paris as being present.

The Cinque Ports at this period were no doubt of great importance, and it is probable that the words “Portuum Maris Habitatores” may have included Barons of the Cinque Ports, who were certainly “Inhabitants of the Sea-ports,” though the words are capable of being applied more extensively.

“Nobiles” were neither Barons nor Knights, but may have been those who would now be called Gentlemen, and the term would be more appropriate to the Barons of the Cinque Ports than to Common Burgesses.

From the time of the Conquest to the Reign of King John, some assemblies exercising legislative powers under the sanction of the Crown were at different times convened by personal summons to the individual, but what were the duties and powers of such assemblies—whether to some, general powers were attributed, and to others, more limited powers,—and who were the constituent Members, it is difficult to ascertain.

The assemblies are sometimes spoken of as “*Concilium* ;” at other times as “*Magnum Concilium* ;” and at others again as “*Commune Concilium*,” and “*Commune Concilium Regni* ;” and they were generally convened at the times when the King held his “*Curia*” for the administration of Justice. Probably the “*Concilium*” was the ordinary Council of the King; for extraordinary purposes a larger body, consisting of all persons of rank and property, and known as the “*Magnum Concilium*,” would assemble; and for more general purposes a still larger number of persons, to whom the appellation of “*Commune Concilium*” was distinctly given.

The Archbishops, Bishops, Abbots, Priors, and Earls, and persons variously styled “*Primates totius Angliæ*,” “*Barones*,” “*Comites*,” and “*Proceres*,” attended these assemblies. The rank of the Archbishops, Bishops, Abbots, Priors, and Earls is clearly distinct from that of the persons called “*Comites*” and “*Barones*” where these words occur with the others; but sometimes all those attending are styled “*Barones*” only, or “*Magnates*” only, or “*Proceres*” only, and in these cases the words must have included persons of higher rank; but whether the “*Barones*” had hereditary titles to be members of the assembly as Peers of the Realm, or whether the right to be summoned was incident to their possessions, or proceeded from a grant from the Crown, or whether they were summoned at the pleasure of the King, is not clearly established.

The different senses under which the terms “*Baro*” and “*Barones*” were used increase the difficulty as to the position of the Barons of the Cinque Ports.

Tenants in Chief of the Crown holding their Land “*per Baroniam*” were Barons, and as far as can be ascertained all lands called Baronies were held either by military service or grand serjeanty, which was likewise a military tenure, or by both.

Tenants in Chief of the King holding their land by Knight service were also termed Barons or *Minores Barones*.

The word “*Barons*” was, moreover, often anciently applied to the Freehold Tenants of Manors, whether holding of the King or of some Lord; and the term was sometimes applied to all Freeholders.

The Charter of the 6th Edward I. (1278) to the Cinque Ports states that it was granted "for the faithful service which our Barons of the Cinque Ports 'have hitherto done to our predecessors, Kings of England, and to us in our late army in Wales, and for their good services to us and our heirs, Kings of England, faithfully to be continued in time to come.'" The King thereby granted and confirmed to the same Barons and their heirs all their liberties and acquittances (quietancias), and that they should have those liberties and acquittances as they had them in the times of Edward the Confessor, William I., William II., Henry II., Richard I., John, and Henry III., as by their Charters, which the said Barons had, and which the King had inspected. Amongst other privileges the King granted to the Barons that they should have *infangthef* ^(a) and *utfangthef* ^(b) in their lands within the Ports in the same manner as Archbishops, Abbots, Earls, and Barons had in their Manors in the County of Kent. This grant was subject to the charge that the Barons and their heirs should do to the King and his heirs Kings of England their full service of fifty-seven ships at their own cost for fifteen days, upon the summons of the King or his heirs.

Before considering how far the Provisions of the Great Charter affect the question, it would be as well to take a brief glance at the conditions under which all lands in the Kingdom were held. The Norman Conquest had placed in the hands of the King, by confiscation, almost the whole of the lands of the great Saxon proprietors, and these were granted out by the Conqueror to his principal followers upon the tenure of Knight service; that is, for every portion of land of the annual value of £20, which constituted a Knight's fee, the tenant was required to render the services of a Knight, armed and accoutred to serve in the field for forty days at his own expense. These grantees were the Tenants in Chief under the King, and they in turn provided for their subordinate military retainers by making grants of portions of their lands on the same conditions. And these retainers made still further sub-infeudations.

In war time the Tenants in Chief had to attend the King's Court at the three great festivals of the year; and in the same way the under-tenants attended their Lords at the Court Baron of their respective Manors.

The tenant, whether superior or inferior, was also compelled to render "aids" to his immediate Lord, whenever it was necessary to ransom his Lord's

(a) *Infangtheff* or *Infangthiefe*—To judge in their courts thieves taken within their Precincts.

(b) *Utfangtheff* or *outfangthiefe*—Thieves taken out of the Precincts of the Ports shall be brought back and there tried and judged.

person from captivity—to make his eldest son a knight—or to provide a suitable marriage portion for his eldest daughter.

Upon the death of the tenant the heir had to pay relief for taking up his estate.

If the heir was under age, his wardship passed to his Lord, together with the estate, without any account of the profits during the minority.

The Lord had the disposal of wards in marriage.

The Tenant was not allowed to alien his Estate, either by Deed or Will; it passed to his heir.

If the Tenant died without heirs, or was guilty of felony, the Estate escheated to the Lord, and this right belonged not only to private Lords in respect of lands within their manors, but also to the King in respect of lands held immediately of the Crown. The King was, however, entitled in cases of Felony by Tenants of private Lords to have the Estate for a year and a day to the prejudice of the Lord, and in case of Treason the Estate was absolutely forfeited to the King.

The powers of the King and the Lords over their tenants were thus very burdensome, and liable to great abuse; and the oppressive exactions of King John led to the revolt of the Barons and the Grant of the Great Charter in 1215.

In the times referred to the doctrine of tenure was not so formally defined as afterwards. Saltwood, to which Hythe was appurtenant, was not “in antiquo dominico Domini Regis,” though at a particular date it was in dominio or in the Lordship or hands of the King; the Barons of the Cinque Ports held something of the King; not, however, their Lands in any of the Manors which intersected their liberty, but rather their franchises of jurisdiction, port, navy and trade, for which at one time they paid a customary tribute (whether fixed or not does not appear), called “tallage” in the Charter of Edward set out hereafter (an unusual use of the term)^a and for which as will be seen, they used to render aid and sea service “of the bodies of their own ships,” which they had to equip at their own cost and use as Royal Navy for a certain number of days in the year. In the same manner Mills, Markets, Fairs, &c., are often treated as jurisdictions, including sac and soc, and apparently having tenants held by services rendered to them. The hard rules as to tenures of land above referred to would not apply to these exceptional cases. The Freemen of the Cinque Ports were thus the King’s Tenants in the sense of holding high privileges by sea service, and were minor barons.^b

(a) Another similar instance of the use of the term occurs in a Charter of Richard II to Fountains Abbey, the Monks being freed from various tolls and “stallage and talliage”—Dugdale Mon., vol. 5, p. 287, col. 1, ad finem.

(b) I am indebted to Mr. Elton, Q.C., M.P. for this view of the Tenure of the Cinque Ports.—G.W.

The "Tallage" released by the Charter might also refer to the right of the King to Tallage the ships and the rigging, and this from the words of the Charter would appear to be the natural interpretation. The release would imply that the King had hitherto been in the habit of taxing "the bodies of the ships and rigging thereof" under the name of Tallage. It will be noticed that the release is expressly limited to Tallage on their own ships ("propriarum navium suarum et earum attillio *præstandis*").

This interpretation is confirmed by two interesting documents, to which J. Horace Round, Esq., M.A., has kindly called my attention.

The first of these is a writ of the King to the royal officials at Henley-on-Thames, forbidding them to Tallage, as they had attempted to do, the goods belonging to the Citizens of London, which were deposited at Henley-on-Thames, and which ought by Charter to be exempt from payment of Tallage. "I hear," says the King, that you are compelling them "*ad tallagium nobis inde ibidem præstandum*," on the ground that the goods are found in tallageable houses. "Inde" here refers to their "merchandise" (see for this passage *Liber Albus*, Ed. Riley, pp. 428-9.) Again in the same *Liber Albus* (pp. 490-492), we have the regulations settled by the King in Council as to average in cases of jettison. Here (about *temp.* Edward I.) "the Barons of the Cinque Ports" complain to the King that when, to save a ship, they had to pitch overboard some of the cargo, it was understood, by immemorial custom, that the ship itself was to be exempted from the "auxilium" that was raised rateably on the rest of the cargo; but to recoup the owners of the jettison, certain leading merchants had lately insisted on including the ship in the assessment. The King heard both parties, and decided that the ship itself "*cum utensilibus et apparatu*," and the personal effects of the crew ought not to contribute towards the fund for recouping the loss "[non] debeant appretiari *ad auxilium præstandum*." In both these cases the word "*præstandum*" can only mean "to pay" (*i.e.* in money), and is the same phrase as is used in the Hythe Charter of 1298 above referred to.

The personal military service of the tenant was commutable by a money payment termed "Scutage," and it was to limit the power of the King in the levying of Aids and Scutages, and to secure the ancient rights and free customs of the City of London and other towns, that the following provisions were inserted in the Great Charter.

"12. Nullum scutagium vel auxilium ponatur in regno nostro, nisi per "commune consilium regni nostri, nisi *ad corpus nostrum redimendum*, et

“primogenitum filium nostrum militem faciendum, et ad filiam nostram
 “primogenitam semel maritandam ; et ad haec non fiat nisi rationabile
 “auxilium. Simili modo fiat de auxiliis de civitate Londoniarum.

“13. Et civitas Londoniarum habeat omnes antiquas libertates et liberas
 “consuetudines suas, tam per terras, quam per aquas. Praeterea volumus et
 “concedimus quod omnes aliae civitates, et burgi, et villae, et portus, habeant
 “omnes libertates et liberas consuetudines suas.

“14. Et ad habendum commune consilium regni, (1) de auxilio assidendo
 “aliter quam in tribus casibus praedictis, vel (2) de scutagio assidendo, summoneri
 “faciemus archiepiscopos, episcopos, abbates, comites, et majores barones,
 “singillatim, per litteras nostras. Et praeterea faciemus summoneri in generali,
 “per vicecomites et ballivos nostros, omnes illos qui de nobis tenent in capite ;
 “ad certum diem, scilicet, ad terminum quadraginta dierum ad minus, et ad
 “certum locum ; et in omnibus litteris illius summonitionis causam sum-
 “monitionis exprimemus ; et sic facta summonitione negotium ad diem
 “assignatum procedat secundum consilium illorum qui praesentes fuerint,
 “quamvis non omnes summoniti venerint.”

(12. No Scutage or Aid shall be imposed in our Kingdom, unless by the
 common counsel of our Kingdom, except for ransoming our body, and making
 our eldest son a Knight ; and for once marrying our eldest daughter ; and for
 these purposes only a reasonable aid shall be made. In like manner it shall be
 done concerning the Aids of the City of London.) ^(a)

13. And the City of London shall have all its ancient liberties and free
 customs, as well by land, as by water. Moreover we will and grant that all
 other cities, and boroughs, and towns, and ports shall have all their liberties
 and free customs.^(b)

14. And in order to have the common counsel of the Kingdom (1) concern-
 ing the assessment of Aid, otherwise than in the three cases aforesaid, or
 (2) concerning the assessment of Scutage, we will cause the archbishops, bishops,
 abbots, earls, and greater barons to be summoned singly by our letters. And,
 moreover, we will cause all those who hold of us in chief to be summoned in
 general by our sheriffs and bailiffs, at a certain day, to wit, at the term of forty

^(a) According to Lord Coke, no Scutage has been assessed since 8 Edward II. (1315). The impost was expressly abolished by Statute 12 Charles II.

^(b) It will be noticed that in the Charter of John, para. 13, the Cinque Ports are not specially named. They would be included in the general word “ports,” but in the confirmation of the Charter by Henry III. (1216) para. 10, the words are “Et Barones de Quinque portibus et omnes portus habeant omnes libertates et liberas consuetudines suas” (and the barons of the Cinque Ports and all ports shall have all their liberties and free customs).

days at the least, and at a certain place; and in all those letters of summons we will express the cause of the summons. And the summons having thus been made, the business shall proceed at the day appointed, according to the counsel of those who shall be present, although all the persons summoned may not have come.)

These words clearly acknowledge the necessity the King was under of taking the "common counsel" of the Kingdom, and must be considered as referring to a legislative assembly of some description, and for some purpose, and which would probably be called the "Common Council."

They also clearly point to a Central and National Assembly for the purpose of assessing extraordinary Aids and Scutages, comprised of Archbishops, Bishops, Earls, and certain persons described as "Majores Barones," who were to be specially summoned; and the question arises, who were the "Majores Barones," and were the Barons of the Cinque Ports included under this term? This is the first instance of the use of the word "Majores" before "Barones." Special writs were to be sent to them to attend the Common Council, whilst the other Tenants in Chief of the Crown, who might be considered to come within the description of "Barons," received general summonses, that is, through the Sheriffs of the respective Counties or the Bailiffs of the Towns; and it might be to distinguish between the two that the term "Majores" was used. It may be presumed that the term "Majores Barones" was then well understood, although after this interval of time it is difficult to say who were included in it. The probability is that the words referred to "Magnates," other than the Prelates and Earls, holding lands "per Baroniam," by military service or grand serjeanty.

It has been suggested that the Barons of the Cinque Ports, on account of their duties at the Coronations, were Tenants by service of Grand Serjeanty (a service introduced at the time of the Conquest), and that their naval services, from the parallel they presented to the service on land of the Tenants in Capite, might be deemed a Military Service. They would thus form part of the Majores Barones on account of one or both of these services.

Tenure by Grand Serjeanty (per Magnum Servitium) was a kind of Tenancy in Chief, whereby the Tenant was bound, instead of serving the King in his wars, to do some special service in his own proper person, as to carry the King's banner or lance, or to be his champion, butler, or other officer, at the coronation (Coke upon Littleton, I. 153).

There is, however, no evidence that the Barons of the Cinque Ports formed part of the "Majores Barones," or had a personal summons to attend the Common Council.

The following is a translation of extracts from the Treatise known as "Modus Tenendi Parliamenti" (The manner of holding Parliament), which professes to shew the position of the Barons of the Cinque Ports in Parliament. The Lords' Committee's Report on the Dignity of a Peer refers to it as a forgery, but Dr. Stubbs speaks of it "as a somewhat ideal description of the Constitution of Parliament in the middle of the 14th Century. Its authenticity (he says) has been bitterly assailed, and it is of course absurd to regard it as a relic of the time of the Conqueror. But it is not therefore a modern forgery. It is found in manuscripts of the 14th Century, and although on reference to contemporary writs and documents, it is found to be frequently misleading, it may be accepted as a theoretical view for which the writer was anxious to find a warrant in immemorial antiquity."

"OF THE BARONS OF THE PORTS.

"Also the King is bound to send his Writs to the Warden of the Cinque Ports, that he cause to be elected from every port, by the same port, two able and skilful Barons to come to and be present at his Parliament, and to answer, undergo, allege, and do that which (belongs)* to his barony, as if all and singular the (men) of those baronies were present there; and that such Barons shall come with their warrants in duplicate, sealed with the common seals of their ports, (showing) that they have been duly elected and attorned for this purpose, and have been sent for those baronies; of which (duplicates) one shall be delivered to the Clerks of the Parliament, and the other shall remain with the same Barons. And when such Barons of the Ports, after obtaining licence, had taken their departure from Parliament, then they used to have a Writ of Great Seal to the Warden of the Cinque Ports, that he should cause such Barons to have their reasonable costs and expenses from the community of that Port, from the first day on which they came towards Parliament, to the day on which they returned to their own [homes], express mention being made in that Writ of the stay which they have made at the Parliament, of the day on which they arrived, and of the day on which they were licensed to return. And mention used sometimes to be made in the Writ of how much such Barons ought to take from those communities by the day, to wit, some more, some less, according to the abilities, honesty, and respectability of

*The original is obscure here.

“ the person ; nor was it usual for more than twenty shillings by the day to be
 “ spent by two Barons, having regard to the length of their stay, and their labours
 “ and expenses. And it is not usual for such expenses to be repaid by the Court
 “ as a matter of certainty to all persons whomsoever so elected and sent for the
 “ communities, unless the same persons shall have honestly and well behaved
 “ themselves in Parliament.

“ OF THE OPENING OF PARLIAMENT.

“ The Lord the King shall sit in the middle of the larger bench, and is bound
 “ to be present, firstly, on the sixth day of Parliament. And the Chancellor,
 “ Treasurer, Barons of the Exchequer, and Justices used to record defaults (of
 “ appearance) made in Parliament in the order which follows. On the first day
 “ the Burgesses and Citizens of the whole of England shall be called ; on which
 “ day if they come not, the borough shall be amerced at one hundred marks, and
 “ the city at one hundred pounds. On the second day the Knights of the Counties
 “ of the whole of England shall be called ; on which day if they come not, the
 “ county to which they belong shall be amerced at one hundred pounds.
 “ On the third day of Parliament the Barons of the Cinque Ports shall
 “ be called, and afterwards the Barons (Peers), and afterwards the Earls ; where-
 “ upon if the Barons of the Cinque Ports come not, the barony to which they
 “ belong shall be amerced at 100 marks. In the same manner the Baron by him-
 “ self shall be amerced 100 marks, and the Earl at 100 pounds,” &c.

The Barons of the Cinque Ports, according to this, attended the third day with the Barons and Earls ; and each port was equal to a Baron (Peer) so far as respects the amount of fine for non-attendance, and seems to have been regarded as a barony.

On the whole it would appear that the Barons of the Cinque Ports held a higher position than the Citizens and Burgesses and Knights of the County, and a lower position than the Earls and Greater Barons, and on the division of the Parliament into Lords and Commons they formed part of the latter body.

The “ Greater Barons ” would include those Chief Lords of fees who had other lords dependent on them. A person who held a manor or estate of one of the “ Chief Lords ” would not therefore be summoned, though he might be considered to be represented by his superior. The Tenants in Capite of the Crown other than the greater Barons would be the lords of simple manors and estates, holding by military service. The Charter, as before mentioned, provided that all Tenants in Chief of the Crown were to be called by a general summons

through the Sheriffs and Bailiffs ; and the question again arises, did the Barons of the Cinque Ports, if not included in the term "Majores Barones," attend as "Tenants in Capite" of the Crown ?

Though the words of the Charter express that all Tenants in Chief of the Crown should be thus summoned, it has been doubted if this extended beyond the Tenants by Military Service, of whom alone Scutage in the usual sense of the word could be required. If the assembly was only to assess Scutage as a commutation for Military Service, the attendance of the Tenants in Chief of the Crown not liable to Military Service might not be deemed necessary.

The Freemen of Hythe and the other Cinque Ports being Tenants of the King, were not liable to Scutage. The Crown (as in the case of towns in the King's Demesne) would exercise its right of assessing "Tallage" by its own officers, and did as a fact exercise such right long after the Great Charter.

The limit of the power of the King by the Charter (para. 12) to the imposition of Scutages or Aids in towns did not apply to the Tenants of the King. The Barons were evidently desirous that it should be so extended, for in their request they demand it : "*Simili modo fiat de taillagiis et auxiliis de civitate Londoniarum et de aliis civitatibus quae inde habent libertates.*" (In like manner it shall be done concerning the Tallages and Aids of the City of London, and all other cities which have the liberties thereof, *i.e.*, to pay their "Tallages and Aids" independently.) But it will be seen by the Charter (para. 12) that only London was strong enough to secure the limitation, the words of the grant being "*Simili modo fiat de auxiliis de civitate Londoniarum*" (In like manner it shall be done concerning the Aids of the City of London), "other Cities" being omitted, although in para. 13, their liberties and free customs are secured as well as those of the City of London. The right of taxation by the King over other Cities thus continued unlimited, and the Council would have nothing to do with assessing Scutage or Aids on them, so that they would have no interest in attending assemblies for those objects.

It is observable that no provision is made in the Charter with respect to Aids to be demanded from the King's immediate Tenants who did not hold by military service and were liable to Tallage.

Tallage was the right of taxation by the King on the land and the towns in the Royal Demesne. The towns contributed a larger proportion than the counties, namely, one-tenth, when the Knights of the Shire voted one-fifteenth. The Cinque Ports, as before shewn, did not hold their lands immediately of the

King, and would not therefore be subject to Tallage as other Towns in the King's Demesne on this account, but they were liable to some kind of payment (whether fixed or otherwise is not clear); and this payment, tax, or donum, apparently, like the tax on demesnes, seems to have been termed Tallage. They were made quit of Tallage by their charter in the 6th Edward I., 1278, and again by the following grant in the 26th year of the same reign, 1298.

“Edwardus, Dei gracia, Rex Anglie, Dominus Hibernie, et Dux Aquitanie, Omnibus Ballivis et fidelibus suis ad quos presentes littere pervenerint, Salutem. Sciatis, quod pro bono et fidei servicio, quod dilecti et fideles nostri Barones et probi homines nostri Quinque Portuum nobis et progenitoribus nostris, quondam Regibus Anglie impenderunt, et in futurum impendent, concessimus eis, pro nobis et heredibus nostris, quod ipsi et eorum heredes, Barones eorundem Portuum, decetero imperpetuum sint quieti de omnimodis tallagiis et auxiliis nobis et heredibus nostris de corporibus propriarum navium suarum, et earum atillio, prestandis. Concessimus eciam eisdem Baronibus et hominibus, pro nobis et heredibus nostris, quod de legalibus rebus et mercimoniis, que ipsos infra terram nostram Hibernie debito modo emere contigerit, nullus de rebus et mercimoniis illis sit eorum particeps, nec cum illis contra voluntatem eorundem Baronum et hominum inde participet quoquo modo. Concessimus insuper, pro nobis et heredibus nostris, quantum [in nobis] est, Baronibus et probis hominibus supradictis, quod omnes illi infra dictos Quinque Portus oriundi, licet ipsi terras vel tenementa extra libertatem eorundem Portuum tenuerint per tale servicium, per quod maritagia eorundem, ratione minoris etatis ipsorum, ad nos vel heredes nostros pertinere deberent, secundum legem et consuetudinem regni nostri, nichilominus, juxta libertatem Portuum predictorum, se maritare possint sine occasione vel impedimento nostri vel heredum nostrorum imperpetuum: salvo jure alterius cujuscunque. Et ideo vobis mandamus, quod predictos Barones et homines contra has concessiones nostras non molestetis in aliquo seu gravetis. In cujus rei testimonium has litteras nostras fieri fecimus patentes. Teste me ipso, apud Sanctum Albanum, vicesimo octavo die Aprilis, anno regni nostri vicesimo sexto.”

(Edward, by the Grace of God, King of England, Lord of Ireland, and Duke of Aquitaine, to all his bailiffs and faithful people to whom these present letters shall come, greeting. Know ye, that for the good and faithful service which our beloved and faithful Barons and our proved Men of the Cinque

Ports have rendered to us and our progenitors formerly Kings of England, and in future will render, we have granted to them, for us and our heirs, that they and their heirs, Barons of the same Ports, henceforth for ever shall be quit from all manner of Tallages and Aids to be rendered to us and our heirs from the bodies of their own ships and the rigging thereof. We have also granted to the same Barons and Men, for us and our heirs, that of their lawful wares and merchandise, which they shall happen to buy in due manner within our land of Ireland, no man shall be their partner of those wares and merchandise, nor shall partake thereof against the will of the same Barons and Men. Moreover we have granted, for us and our heirs, as much as in us is, to the Barons and proved Men abovesaid, that all persons born within the said Cinque Ports, although they shall hold lands or tenements without the liberty of the same Ports, by such service, whereby their marriages, by reason of their minority, ought to belong to us or our heirs, according to the law and custom of our realm, nevertheless, according to the liberty of the Ports aforesaid, shall be able to marry themselves without trouble or hindrance of us or our heirs for ever; saving the right of any other (*i.e.* Lord) whomsoever. And therefore we command you that you shall not molest or aggrieve the aforesaid Barons and Men, contrary to these our grants, in anything. In witness whereof we have caused these our letters to be made patent. Witness ourself, at St. Alban's, on the 28th day of April, in the 26th year of our reign.)

This Release would appear to have been given in consideration of the Cinque Ports contributing their services in sustaining the Navy, for another Grant dated the same day is as follows :

“Edwardus, Dei gracia, Rex Anglie, Dominus Hibernie, et Dux Aquitanie, “Omnibus ad quos presentes littere pervenerint, Salutem. Considerantes, quod “navigium nostrum Quinque Portuum non absque magnis sumptibus et expensis “poterit sustentari, ne navigium illud deficiat vel pereat in futurum; con- “cessimus pro nobis et heredibus nostris, quod omnes illi de Quinque Portubus “predictis, et alii quicumque advocantes se de libertate eorundem, et inde “gaudere volentes, contribuant, videlicet, quilibet eorum juxta facultates suas, ad “faciendum servicium nostrum et heredum nostrorum, de navibus suis, cum a “nobis vel heredibus nostris hoc habuerint in mandatis. In cujus rei testimon- “ium has litteras nostris fieri fecimus patentes. Teste me ipso, apud Sanctum “Albanum, vicesimo octavo die Aprilis, anno regni nostri vicesimo sexto.”

(Edward, by the Grace of God, King of England, Lord of Ireland, and Duke of Aquitaine, to all to whom these present letters shall come, greeting. Considering that our navy of the Cinque Ports cannot be sustained without great charges and expenses, lest that Navy should fail or perish in the future, we have granted for us and our heirs, that all those of the Cinque Ports aforesaid, and others whosoever, avowing themselves of the liberty of the same, and wishing to enjoy it, shall contribute, that is to say, each of them according to his faculties, to do the service of us and our heirs with their ships, when they shall be commanded to do so by us or our heirs. In witness whereof we have caused these our letters to be made patent. Witness ourself, at St. Alban's, on the 28th day of April, in the 26th year of our reign.)^(a)

In the Parliament, 13 Edward III. (1339), of which an Aid was demanded for the expenses of the war with France in which the King was engaged, a complaint was made by the Commons relating to the keeping of the seas, and the answer given by the Guardian of the realm (the Duke of Cornwall, son of the King) shews the peculiar position of the Cinque Ports. It is stated that the Barons of the Ports, who at all times had honours beyond all the Commons of the land, and were thus enfranchised that they might be a defence against invasion, were not contributors to any Aids or charges touching the land; and therefore ought to keep guard on the sea as the Commons did on the land, without taking or demanding wages, together with the other great towns and havens which had ships. This state of things continued until the Parliament of 4 Richard II. (1381), when the Commons were again pressed to grant a large Aid to the King, and in this Parliament the Commons prayed that the County of Chester, the Bishopric of Durham, and the Cinque Ports and all other places in the same situation (*semblables*) within the kingdom, who were not comprised in the common taxes, might, amongst themselves, be charged according to their possessions (*leur avoir*), in Aid for the defence of themselves and of the Commons (*de nous*), as reason required. The King assented to the charge on the Cinque Ports, and as to the County of Chester and Bishopric of Durham, the King would do what he could, saving their franchises.

In the Library of St. Catharine's College, Cambridge, almost the last place one would expect to find any information as to the Cinque Ports, are some of the most interesting Records of Romney, one of the Cinque Ports. How they

(a). The Charter of 17 Edward I. (1278) and the two of 26 Edward I. (1298) above referred to are still (after a lapse of 800 years) amongst the Hythe Town Records. Separate Charters were granted to each Port.

came into the possession of the authorities there is unknown ; possibly they were borrowed by some student of ancient lore, and never returned ; at any rate they are well taken care of and appreciated. Professor G. F. Browne, Honorary Fellow of the College, has transcribed the most important parts with the intention of publishing the result of his labours, and thus affording the public an opportunity of obtaining a glimpse of 14th century life in the Cinque Ports. In the meantime they have already been reported on by the late Mr. Riley, in the Appendix to 4th Report of the Historical Manuscripts Commission. Amongst these records (fol. 19 and 20 of a book marked G. v. 69) there is a copy of a Writ from the King, confirming the view before taken of the freedom of the Ports in regard to Aids. The Writ is in Latin, and the following translation of a portion of it has been kindly furnished by Mr. Browne :

“ The King (Edward III.) to the Collectors of Tenths and Fifteenths last granted to us in the County of Kent, greeting. The Lord Edward (I.) our grandfather, formerly King of England, considering that his Navy of the five Ports could not be maintained without great cost and expense, lest the said Navy should fail or perish, granted for himself and his heirs, that all they of the five Ports, and others who were admitted to the freedom of the Ports, should contribute each according to their ability to perform the service of the King with their ships, when he or his heirs should require.

“ We, seeing that under these general words ‘ each according to their ability ’ dissensions had arisen, by the advice of the Prelates, Earls, Barons, and Commonalty in our Parliament held at Westminster, in the 2nd year of our reign over England, granted that all they of the five Ports, etc., should contribute to maintain the Navy from all goods and chattels, whether without or within the liberty of the five Ports, and should be duly compelled to this by the Mayors and Jurats of the Ports, and also by the Constable of Dover Castle, if necessary ; [and because they are so taxed] we bid you not to molest or burden them in any way, but to hold them quit of the Tenth and Fifteenth on such goods and chattels as they do service for in maintaining the Navy. Witness the King, at the Tower of London, 22nd July, year 27 (*i.e.*, 1353).” (*a*).

The above statements shew that the Cinque Ports were not liable to Aids, and the reasons for their exemption, and that such exemption continued till 4 Richard II. (1381). The assent of the King to the prayer of Parliament in

(*a*). In Anno 9 Hen. III., the Collectors were commanded to receive no tenths or fifteenths from the Lowye of Pevensey which then was of the Liberty of Hastings;

1381, appears to be contrary to the Charters and Franchises of the Ports, but the position of affairs had been somewhat altered, for the second statute passed by the Parliament in the year first referred to (1340) contained a clause providing that the nation "should be no more charged or grieved to make any common Aid or sustain charge, except by the common consent of Prelates, Earls, and other Magnates and the Commons of the Realm, and that in Parliament;" thus abolishing the right of the King of tallaging any part of the Royal Demesne, and making it liable to taxation by Parliament. Such assent only placed the Ports in the same position as regards taxation as the Royal Demesne lands. It was not immediately acted upon, for the same King (Rich. II.) in the 6th and 9th years of his reign, by his Writs to the Collectors of his 10ths and 15ths, certifies the freedom of the Ports from payment thereof. There is, however, with the Town Records a copy of a Commission to Humphrey Duke of Gloucester, Lord Warden of the Cinque Ports, dated at Westminster, 29 Hen. VI. (1450), reciting Letters Patent addressed to him informing him of the Grant made by Parliament to the King for the defence of the Realm of a Subsidy, and directing him to hold an enquiry as to persons liable in the Cinque Ports. This subsidy was paid, and others subsequently, notwithstanding the exemption of the Ports from tallage was again confirmed by the Charter granted in the 5 Edward IV., (1465), and was further extended to scutage, aids, contributions, scots, tenths and fifteenths, and subsidies; this Charter being confirmed by succeeding Kings up to the last confirmation, 20 Charles II. (1668).^(a)

If the Towns and Ports holding in Chief of the Crown had been comprised in the Great Charter, they could only have appeared by some of their respective bodies, and therefore would have appeared by some sort of representation. But in the Great Charter appearance by representation is not provided for in the case of such Tenants in Chief of the Crown as should not be specially summoned. The provisions as to attendance import the personal attendance of the party summoned, and the inference is that elected representatives of Towns holding as Tenants in Capite were not included.

Each Town was presumed to have some Lord or Lords, except where it was of the King's Demesne. That Lord or those Lords would be summoned if he or they held of the King in Chief.

(a).—The Charter of Edw. I. was also confirmed by 1st Edw. III., and again by 2nd Edw. III. and by 1st Rich. II.

Now, although the Lord of the Manor of Saltwood appointed one Bailiff, and according to Domesday had 225 Burgesses in Hythe, the Lord of the Manor of Lyminge had 6 Burgesses, and other Lords of Manors had also Tenants there, owing suit and service (a mixture of jurisdiction which appears in many other descriptions of Boroughs contained in Domesday), yet Hythe had a separate and distinct legal district, independent of these Manors. The Court of Record of the Town is described as the Court of the Lord the King, and not the Court of any Lord of a Manor, and no Lord was summoned to Parliament as the Lord of the Town. The Charters to the Town were granted by the Crown, although the Charter of Edward III. (recited in the Writ above referred to) is granted by the advice of Parliament.

If any one were summoned to represent the Cinque Ports, it would be the Lord Warden, their recognised chief, but that office was an important one, and was given to men of the highest position in the land, who were Barons in their own right, and as such entitled to be summoned; so that it does not follow that they attended in their official capacity. Richard de Grey (appointed Lord Warden by the Barons on 28th July, 42 Henry III., and deprived of his office, 8th Sept., 43 Henry III., by Chief Justice Hugh Bigot, because he let in the Pope's Legate by the King's license, against the mind of the Barons) was one of the Committee of twelve selected by the Barons at the Great Council, 42 Henry III., hereafter referred to; but he was not appointed until after the Parliament met, and could not therefore have been summoned as Lord Warden. In later times, when the Barons of the Cinque Ports were summoned, the Lord Warden occasionally received a summons at the same time. Again, it must be borne in mind that Saltwood belonged to the Church, and at the time of taking the survey of Domesday, (1086) was held of the Archbishop by Knight service by Hugo de Montfort, and is entered in that record under the general Title of "*Terræ Militum Archiepiscopi*," *i.e.*, lands held of the Archbishop by Knight Service.^(a) The Archbishop would be summoned as Archbishop, not as Lord of any particular Manor, neither would his Tenants be summoned, for they did not hold by Knight Service of the King, but of the Archbishop. Such Tenants might be *Barones Minores*, although de Montfort was probably one of the *Majores Barones* in his own right. The history of the various Manors in the Borough, and their position as

(a) Saltwood had previously been given to Earl Godwin by the Archbishop; it was probably forfeited on Godwin's fall, for King William I. gave it to Hugh de Montfort, and it was recovered by Lanfranc and declared to belong to the Archbishop. See Charter. Augustus II. 36. Cotton Collection, British Museum, entitled on the dorse "*Scriptum de terris quas antiquitus habuit Cantuariensis ecclesia*," about date 1072, whereby Hugh acknowledged the title of the Archbishop. See also Lambeth MS. 1212, p. 76.

regards the Town, and of the two Bailiffs and their duties, is a subject of great interest and perplexity, but beyond the scope of the present work ; it must be considered separately hereafter. In the meantime it will be sufficient to state that the lands in the Borough were held of several Manors, that the Lord of Saltwood appointed one Bailiff, who is not mentioned in any of the Charters which are granted “to the Barons and proved men of Hythe,” and was not a member of the Corporation. The Archbishop’s Bailiff, together with the Jurats, had, however, cognisance of all pleas, personal and real ; they jointly held inquests on persons killed. The second or Town Bailiff alone had power to make executions. Who appointed this second Bailiff does not appear. In addition to the Bailiff appointed by the Lord of the Manor of Saltwood, Hythe had a “Port Reeve,” who was the King’s officer. His seal of office is still in the possession of the Town.^(a)

It will be noticed that the Writ issued in 49 Henry III. is directed to the Barons and Bailiff of each Cinque Port, and not as in after years to the Lord Warden. Another point of difference from subsequent Writs is that the Writ does not require that the persons chosen should have full power to consent for their respective Ports to what should be done in the assembly, but according to the terms of the Writ, they were merely called to “confer” with the King, and not for legislative purposes.

With respect to their attendance previously to 49 Henry III. in their representative capacity, which was the only way they could have attended, the first attempt towards assembling a representative body was in 15 John (1213). Writs were issued to the Sheriffs of Counties requiring the attendance of four discreet Knights within their bailiwicks, at Oxford, “ad loquendum “nobiscum de negotio regni nostri ” (to speak with us concerning the business of our Kingdom).

Whether the Writs were obeyed or not does not appear, nor how the Knights were to be chosen, whether by the County or by the will of the Sheriff, but it seems most probable that they were intended by the King as the representatives of the Freeholders of each County, and to balance the power of the hostile Nobles, who were then leagued against him ; and the measure might tend to conciliate the minds of those who would otherwise have no voice in the Legis-

(a) A description of this Seal is given in the *Archæologia Cantiana*, Vol. VII. It was found in 1808 in the roadway which runs through the village of Goudhurst, Kent, 5ft. below the present surface, and at a level of what is described as clearly the former surface of the road ; its legend is “*Sigillum Custum de Hethe*.” It was purchased in 1876 by Sir Edward William Watkin, Bart., the Member for Hythe, and presented by him to the Corporation.

lative Assembly, but it had no effect in restoring peace to the Kingdom. The discontented Barons had recourse to arms, which ended in the submission of the King, and the granting of the Great Charter before referred to.

In 4 and 5 Henry III. (1220 and 1221), Writs were issued directing the election of Knights in the County Court for the assessment and collection of Subsidies.

The next Parliament was held at Lincoln in 10 Henry III. (1226), when the Sheriffs of eight counties were directed to send four Knights elected from each county to make complaints against the Sheriffs on an alleged infringement of the Great Charter.

In 20 Henry III. (1236), a Parliament was held at Westminster, at which the Statute of Merton was passed, whereby the Barons emphatically declared that they would not have the Laws of England changed. These provisions are acknowledged to form part of the Law of the Land, having been printed in the authorised collection of Statutes, and it is evident that the persons who assumed the power of making them consisted only of the Archbishop of Canterbury, his Suffragan Bishops, and the greater part of the Earls and Barons of England convened (according to some of the manuscript copies of those provisions) for the Coronation of the King and Queen, and forming what was called the King's Court.

The Barons of the Cinque Ports might have attended this Assembly, but if they did, their attendance would be in obedience to a special Writ of Summons to which they were entitled on the Coronation, and it does not follow that they attended other assemblies. The services and privileges of the Barons, or their "Honours at Court," as they are termed in the first charter of Edward I. (1278) were to carry the Canopy over the King and Queen at their Coronation, and to sit at the next table in the King's great hall, and at the right hand of the King himself, as of right, and ancient free use. Jeake, in his Charters of the Cinque Ports, p. 130, quoting from the Custumals of Rye and Winchelsea (long since lost) says:—"And when it shall happen that any King or Queen of England shall be crowned, the Barons of the Cinque Ports, by Writ of Summons of our said Lord the King to them directed, were wont to come to the Coronation, to do their wonted services, and to receive their Honours in the Court of our said Lord the King, that is to say," &c.; setting out the services and privileges above mentioned.

From this it may be gathered that if they attended, it would be "to perform " their wonted services, and to receive their Honours," and not for any legislative purposes, and that their duties would be confined to the special purposes for which they were entitled to be summoned in connexion with the Coronation.

In 38 Henry III. (1254), Writs were issued by Queen Eleanor and the Earl of Cornwall, the Regents, the King being in Gascony, requiring the attendance of the Knights of the several Shires, at the same time with the Earls and Barons, and with the Military Tenants, summoned to attend in arms at Westminster; but these Writs are silent as to any election of Citizens and Burgesses, or of Representatives of the Cinque Ports, and there is no evidence that any Knights were elected or met according to the exigence of the Writs. The Assembly was convened for the purpose of obtaining an Aid.

A Great Council or Parliament met in London on 9th April, 1258, 42 Henry III., at which the Barons compelled the King to consent to the appointment of a Committee of 24 persons, 12 to be elected by the King and 12 by the Barons, in a Parliament to be summoned at Oxford on 11th June. This Parliament, called "the Mad Parliament," drew up the Articles known as the Provisions of Oxford, under which the Government was placed for a time in the hands of an oligarchy. Other Writs for the Election of the Knights of the Shire were issued by the Earl of Leicester's party in 45 Henry III. (1261), to attend a meeting at which the King was not to be present, and again in 48 Henry III. (1263). But there is no mention of the Cities or Boroughs, or of the Cinque Ports, in any of these Parliaments; and there is no trace of any such election, or of the attendance of any such Knights, or of any representatives of the Cities or Boroughs, or of the Cinque Ports.

The first clear evidence therefore of the Cinque Ports being required to attend is the Writ of Election in 49 Henry III., before mentioned, and the fact of their being thus specially named, would imply that they had not before attended either as Barons or in their representative capacity for Parliamentary purposes. Their summons to the Earl of Leicester's Parliament was an acknowledgment of the support they had given to the Barons of England in their war against the King, and was no doubt issued to them with the knowledge that they could be relied upon by that party. The Cinque Ports, throughout the contest between the King and Barons, supported the latter, even to braving the Church of Rome; for in 1264 the Papal Legate, Guy Foulquois, afterwards Clement IV., threatened the Barons with excommunication, but the

Bull containing the sentence was taken by the men of Dover, as soon as it arrived, and thrown into the sea.

It has been stated (page 3) that the City of London is not mentioned in the record as having been required to send members to the Parliament 49 Henry III., although the seal of the Mayor and Commonalty was affixed to the agreement made therein ; but in a book preserved in the office of the Town Clerk of London, entitled "*De Antiquis Legibus*," which gives an account of the transactions in early times, it appears that London was represented by four Citizens, although it is not mentioned in the Rolls. It will be noticed that, according to the record, the same number was assigned to each of the Cinque Ports, and two to each City and Borough, and in this particular the relation varies from the record ; a variation which seems to shew that the constitution of this assembly was not well known.

The term " Baron " was not confined to the Representative in Parliament, or to the members of the Governing Body, but every " Freeman " was a " Baron ; " and, as will be shewn hereafter, the Representative was obliged to be a " Freeman," and was returned as a " Baron." The ancient form of Writ, for the return of a " Baron " to Parliament, continued in use until by 35 and 36 Victoria, chapter 33, a new form was prescribed, and the Writ directed a " member " to be returned.

PART II.

THERE is no evidence on the Records that any Writs were issued to the Cinque Ports to return Members after 49 Henry III. (1264) until 15 Edward II. (1322), except in 30 Edward I. (1302), to settle their contentions with Yarmouth, referred to hereafter.

The Cinque Ports, as before mentioned, sided with the Barons, and the course of events was unfavourable to this party. The King, notwithstanding the agreement, remained virtually a prisoner in the hands of the Earl of Leicester, until his release was effected by Prince Edward, who had escaped, and who, having raised an army, fought the Battle of Evesham on 4 August, 1265, the Barons being defeated, and the Earl of Leicester slain. The Cinque Ports made their submission, and received the King in the following March (1266). The submission was made to Prince Edward, who was then Lord Warden, at the Court of Shepway, held at Lympne, near Hythe. (This was the Court where the Pleas of the Ports were heard and determined before the Lord Warden, and where the Lord Warden was sworn in.) Nearly 60 years therefore elapsed before the Cinque Ports again received a Summons to Parliament; probably the part they had taken against the late King was a sufficient cause for their attendance not being required by his son.

Summonses were issued to various Parliaments between 1264 and 1322, addressed to the Prelates and Magnates, and occasionally to the Cities and Counties, but none to the Cinque Ports. Writs, however, both before and long after this period, were issued to the Ports, for service of Ships in the various expeditions of the Kings; and although these can scarcely be said to form part of the Parliamentary History of the Borough, they give an insight into the position and services of the Cinque Ports, and are of sufficient interest to be noticed shortly with the Parliamentary Writs which were issued to the Cinque Ports after 1322.

The Cinque Ports were bound to furnish 57 Ships, and, according to the

Domesday Book of the Ports (which is lost) "the proportion of Ships for Hythe, to "which appertaineth West Hythe, was five Ships, and in every Ship 21 men with "one boy, which is called a gromet. The service was for 40 days at their "going out, viz., yearly, if it shall happen, for 15 days, at their own cost; "so that the first day be reckoned from the day on which they shall hoist up "the sails of the Ships to sail to the Ports to which they ought to go, and, "further, as long as the King will; to be kept by ordinance of the King, Anno "Domini 1229."

Some of the services rendered by the Cinque Ports' Ships are mentioned by Jeake, but the consideration of these does not come within the limits of this work, and it is only proposed to notice the Summonses for service of ships, which are set out with the Parliamentary Writs in the Lords' Committee's Report. It will be seen that the Summons is directed to the Barons and Bailiffs of each Port direct, though occasionally the Warden is included.

The first Summons quoted in that Report (although there were Summonses long previous for the same purpose—see Close Rolls, King John and Henry III.) is dated 14 March, 1258, 42 Hen. III., and was issued to the Barons and Bailiffs of Sandwich, Rye, Hastings, Winchelsea, and Dover (Hythe not being named), to provide Ships for the King's Expedition into Wales, in which he was defeated on the Marches by Llewellyn. The translation is as follows:

"Also it is commanded to the Barons and Bailiffs of Sandwich that, together with the other Barons of the other King's Ports, to whom likewise the King has sent the same command, they shall assemble to provide that they shall attend the King with all the service which they owe to the King, and more, to the number of 200 Ships in the whole, so that each Ship of one-half of those 200 Ships shall be capable of carrying 24 horses, and each of the other half 16 horses, eight days before the feast of St. John the Baptist, in the coming summer, at Chester, ready to depart thence with the King in his expedition to Wales, &c. Witness the King, at Westminster, 14 March.

"In the same manner it is commanded to the Barons and Bailiffs of Rye, of Hastings, of Winchelsea, of Dover." (Close Roll, 42 Henry III., m 11^a.)

In 10 Edward I., 10 April, 1282, the Summonses are to the Barons and Bailiffs of Dover, Sandwich, Winchelsea, Faversham, Romney, Hastings, and Rye (Hythe not being named), for the support of a similar Expedition to Wales. They were to attend the King at Danewell, "well furnished," and with their service due to the King.

In 1277 war was declared against Llewellyn. Anglesea was taken by the Cinque Ports Fleet, and Llewellyn sued for peace, consenting that the title of Prince of Wales should cease on his death, but four years afterwards war was again declared, when Llewellyn was slain, and his race lost their independence.

In 25 Edward I., 26 October, 1297, the Summonses are to the Barons, Bailiffs, and “probi homines” of Hastings, Romney, Shoreham, Sutht’ (Southampton), Winchelsea, Portsmouth, Dover, Sandwich, and Hythe for embarking an Expedition with horses and arms to Flanders to assist the King, who was already there. They were to meet at Sandwich with all the Ships of their Ports capable of bearing 40 tuns of wine and upwards, with bridges, hurdles (clayis), and other things necessary for transporting horses, which things were left at Winchelsea on the King’s late passage.

This was the war concerning which the Barons of England protested that their feudal tenures did not bind them to foreign service, and they objected to the forced contributions raised by the King. The dispute ended in the King being compelled to confirm the Great Charter, and in a prohibition against taxes being raised without the consent of Parliament.

In 26 Edward I., 3 January, 1298, Summonses in anticipation of an Expedition to France are addressed to the Barons, Bailiffs, and “probi homines” of Dover, Winchelsea, Hastings, Hythe, Sandwich and Romney, and a separate Summons is addressed to the Lieutenant of the Warden of the Cinque Ports (Tenenti locum custodis quinque portuum). All the Ships of the Cinque Ports were to be assembled at one of the Ports; and two Barons were to be sent by each Port to attend the King’s Treasurer and Council at Westminster, to receive instructions as to what they were to do. The Warden was to attend personally at all the Ports, and to warn all mariners and others to be ready with Ships.

In 27 Edward I., a Summons is issued to the Warden, requiring the services of the Ships of the Cinque Ports at Skynburnessye, near Carlisle, and there are separate summonses to the Barons and proved men of Sandwich, Hythe, Winchelsea, Hastings, Dover, Romney, and Rye. The Writs are dated at Tynemouth, 3 December, 1298, and the date appointed for the rendezvous was Whitsuntide following, 1299.

This was the war against Scotland, in which William Wallace was finally defeated and executed in 1305.

In 27 Edward I., other Summonses are issued to the Barons and men of Winchelsea, Hastings, Rye, Romney, Sandwich, and Hythe, again charging

them to be ready with their due service of ships at Skynburnessye, near Carlisle, in order to proceed against the King's enemies in Scotland, but deferring the date of attendance from Whitsuntide to the 1st of August. These Writs are dated at Stepney on 7 May, 1299. The Lord Warden was also summoned.

By other Writs dated at Canterbury on 16 July in the same year, the attendance at Skynburnessye was finally countermanded ; but the King still ordered the Barons and men of the Ports to hold themselves in readiness to proceed with the King wherever he should command.

Dover is not included in the two sets of Writs last referred to.

In 28 Edward I., other Summonses, dated at Berwick, 30 December, 1299, are issued to the same Ports, and addressed to the Barons, Bailiffs, and proved men, and also to Dover, commanding them to be with their service of Ships at Skynburnessye to meet the King, who was to assemble his forces at Carlisle, in order that they might proceed thence against the Scots, according to instructions to be given them. The Lord Warden was also summoned.

In 30 Edward I., 16 July, 1302, in consequence of contentions between the Ports and the Men of Yarmouth, where it will be remembered the Cinque Ports had certain fishery rights, both parties having agreed to submit their contentions to the King's arbitration, Summonses are addressed to the Barons, proved men, and Commonalty of the Cinque Ports collectively, and to the Barons and Men of Winchelsea, Hastings, Sandwich, Romney, Rye, Hythe, Great Yarmouth, Little Yarmouth, and Dover separately, each to send three or four men to Parliament with full powers to act in the name of their port. The Lord Warden was also summoned.

These were the first Writs of Summons to Parliament since 49 Henry III., and the translation is as follows :—

“ The King to his beloved and faithful men, and the whole Commonalty of the Cinque Ports, greeting. Forasmuch as touching the contentions and discords lately arising between you of the one part and our Men of Yarmouth of the other part, concerning which as well you as they have wholly submitted to our decree (*dicto*) and will, we intend to have consideration (*tractatum*) in our Parliament, which we are to hold at Westminster on the Feast of St. Michael next coming, and to put an end to those contentions and discords, the Lord willing : We command you, firmly enjoining, that by all means you shall send to us three or four of the more worthy and discreet men of each of the aforesaid Ports, having full and sufficient power in the premises for the whole Commonalty of the

same Ports with their members, at the said day, which day we have given to the aforesaid Men of Yarmouth, to hear our decree and will in this behalf, and further to do and receive what we of our counsel shall think fit to order therein; provided that they whom you shall so send to us shall have such and so sufficient power, that this matter may not for want of such power remain unsettled, which we would not. And have there this writ. Moreover we strictly forbid you, under forfeiture of life and members, and of all things which you can forfeit to us, and we will it to be forbidden by you to all and singular your subjects under the like forfeiture, that neither you nor the same subjects shall do any damage or grievance to our aforesaid Men of Yarmouth, or to any one of them, by sea or by land, in their persons or goods, or do anything else whereby our peace may be broken or disturbed, placing such mariners in your ships passing out of your Ports for whom you will answer. And we have made a like command or inhibition to our said Men of Yarmouth in this behalf. Witness, the King, at Westminster, on the 16th day of July."

Similar letters are directed to the Barons, proved men, and the whole Commonalty of the Ports underwritten, that is to say :

"To the Barons, proved men, and the Commonalty of the Port of Wynchelese that they send three or four men." [And to the rest of the Ports, as above.] Close Roll, 30 Edw. I., m. 9^d.

Although the Cinque Ports and Lord Warden are summoned to Parliament, it was for the special purpose of settling the contentions between them and the Men of Yarmouth, whilst the personal Summons to the Archbishop and Clergy and other Magnates, and the general Summons to the Cities and Counties to return two Citizens and one Knight respectively to the same Parliament was to consult upon negotiations, and for the security of the Kingdom, and in these matters the Cinque Ports do not appear to have been invited to take part; from which the fair inference may be drawn that they had not been invited before.

This Parliament was, however, postponed, and by later Writs in the same year, dated at Lewes, 13 September, the same Ports and the Warden are again summoned to send three or four men from each port to attend Parliament, but only to hear the King's decree as to the contentions before mentioned.

These contentions between the Ports and Yarmouth often ended in bloodshed and serious damage. The Cinque Ports Fleet, when not engaged in their regular duties for the King, occasionally quarrelled with their friends at Yarmouth. In the County Bags, Norfolk, Miscell. 26 A., is an account of the result of the

dispute with Yarmouth above referred to, giving the names of the persons killed, the names of the Ships plundered and burnt, and particulars as to boats, masts, anchors, &c., stolen. From this it appears that 156 Yarmouth men were killed, and damage done to the amount of £2,558 15s., some of which it would appear from an endorsement on the document was done by "une coge de Hethe" (a Hythe Ship). In the Exchequer Treasury of Receipt Miscellanea ⁵², there is a Deed by "the Barons of all the Commonalty of Hethe," promising to submit to the award which shall be made by the King touching the riots and discords between the Barons of the Cinque Ports and the Men of Yarmouth (Gernemueue), dated at Hethe, on Friday before "le Hocke-day," 26 Edw. I. The seal of the Barons of Hythe is attached.

In the same year (1302) the Warden and the Barons, Bailiffs, and proved men of Dover, Sandwich, Rye, Winchelsea, Romney, Hythe, Hastings, Pevensey, and Faversham were summoned for their service of Ships against the Scots; but instead of the full number of 57 Ships, which they were bound to furnish, the King asked for only 25, but these were to be supplied with as many sailors and "defensible men" as were ordinarily sent with the whole 57. This writ was dated at Westminster, 7 November.

In 1305 Scotland was again in arms, under Robert Bruce, and in this and the following Writs the Cinque Ports were called upon to perform their duties in a war which ended in the independence of Scotland.

In 1 Edward II. (1308) a Summons, dated at Stanle 21 June, is issued to the Barons, Bailiffs, and proved men of Dover, Hastings, Hythe, Romney, Winchelsea, Sandwich, and Rye, and also to the Warden, for their whole service of Ships against the King's enemies, Skynburnessye again being the rendezvous.

In 2 Edward II., 11 August, 1308, the foregoing Summons for service of Ships against Robert Bruce is countermanded by Writ addressed to the Constable of Dover Castle and Warden of the Cinque Ports, and dated at Northampton.

In 7 Edward II. (1314) there is a Summons, dated at St. Albans, 1 April, to the Barons, Bailiffs, and proved men of Dover, Hastings, Hythe, Romney, Winchelsea, Sandwich, and Rye, for their whole service of Ships against the Scots, to meet at Skynburnessye.

In 15 Edward II. (1322) a Summons, dated at Derby 14 March, is directed to the Warden of the Cinque Ports, for the Election of two Barons from each of

the Ports. This appears to be the first Parliament to which the Ports were summoned for general business after 49 Hen. III. The Writ is addressed to the Warden, and not directly to each Port, as was that of 49 Hen. III., and is as follows :—

“ Rex dilecto et fideli suo Edmundo Comiti Kancie, Fratri suo carissimo, Constabulario Castri sui Dovor’ et Custodi Quinque Portuum suorum, salutem. Quia super diversis et arduis negociis nos et statum regni nostri specialiter tangentibus Parliamentum nostrum apud Eboracum a die Pasche proxime futuro in tres septimanas tenere, et cum prelatis, magnatibus, et proceribus dicti regni habere proponimus colloquium et tractatum: vobis mandamus firmiter injungentes quod de quolibet portu portuum predictorum duos barones de discreciore et ad laborandum potenciores eligi, et eos ad dictos diem et locum venire faciatis: Ita quod dicti barones plenam et sufficientem potestatem pro se et communitate portus sui habeant ad faciendum et consenciendum hiis que de communi consilio, favente Domino, ordinari contigerit super negociis antedictis: Ita quod pro defectu potestatis hujusmodi negocia predicta infecta non remaneant quovis modo. Et habeatis ibi nomina dictorum baronum, et hoc breve. Teste Rege, apud Derby, xiiij die Marcii. Per ipsum Regem.” (Close Roll 15 Edw. II., m. 15d.)

(The King to his beloved and trusty Edmund, Earl of Kent, his very dear brother, Constable of his Castle of Dover, and Warden of his Cinque Ports, greeting. Forasmuch as, upon divers and arduous affairs specially touching us and the state of our realm, we propose to hold Parliament at York from Easter Day next ensuing in three weeks, and to have conference and treaty with the prelates, magnates, and barons of the said realm: we command you, firmly enjoining, that from each port of the ports aforesaid you shall cause two barons of the most discreet and best able to travel to be elected, and to come at the said day and place: so that the said barons shall have full and sufficient power, for themselves and for the commonalty of their port, to do and consent to those things which, with the Lord’s favour, shall happen to be ordained by common counsel; so that for want of such power the affairs aforesaid may not remain unsettled in any manner. And have there the names of the said barons and this Writ. Witness the King at Derby, on the 14th day of March. By the King himself). There is no return.

In 16 Edward II. (1323), a summons is issued, dated at Westminster, 17 April, for the service of ships against the Scots, and is addressed to the Mayors,

Barons, and Bailiffs of the ports of Dover, Rye, Sandwich, Faversham, Winchelsea, Romney, Hythe, Hastings, and Pevensey, and also to the Warden of the Cinque Ports. The ships were to be at "Dalkeye next Dublin" on the 1st of June, and thence to transport horsemen, footmen, and victuals to Skynburnessye.

In 16 Edward II. (1323). Further Writs to the same Ports, dated at Bissopthorp, June 1, countermand the service of ships, which was no longer required, a truce having been made with the Scots.

In 17 Edward II., 11 May, 1324, a Parliament was summoned, and there is a Writ to the Constable of Dover Castle and Warden of the Cinque Ports, commanding him to cause two barons to be elected for each port, but no return.

In 18 Edward, II., 21 December, 1324, a Writ for service of Ships in the War against France was issued to the Mayors, Barons, and Bailiffs of the Ports of Dover, Rye, Sandwich, Faversham, Winchelsea, Romney, Hythe, Hastings, and Pevensey. The ships were to be at Portsmouth on the third Sunday of Lent at the latest, ready to proceed to Gascony, of which the King of France intended to disinherit the King of England.

In 18 Edward II., 17 February, 1325, another Writ was issued to the Mayors, Barons, and Bailiffs of the same Ports, deferring the time of rendezvous at Portsmouth till the morrow of the Ascension, because certain earls, barons, and other magnates had informed the King that they could not be ready in time. Nevertheless, as the King was unwilling to leave his said Duchy (of Gascony) without aid or defence, he had ordered that certain magnates with a large force of men-at-arms and footmen, and a great quantity of victuals should be at Portsmouth on Sunday after mid-Lent for the succour of Gascony. For this purpose the King had commanded Robert de Bendyn, "Admiral of the Fleet of ships towards the Western parts," that he should cause sixty great and good ships "of his bailiwick, except the ports of Sandwich, Winchelsea, and Dover," to be at Portsmouth on the last mentioned Sunday, for the passage of the said magnates and victuals.

In 18 Edward II., 1 May, 1325, there are further Writs to the Mayors, Barons, and Bailiffs of each of the Ports of Dover, Rye, Sandwich, Faversham, Hastings, Winchelsea, Romney, Hythe, and Pevensey, again postponing the date of the King's passage to Gascony to the morrow of St. Peter ad Vincula, when they were to have their service ready at Portsmouth all the more sufficiently and powerfully furnished since they would have more ample time to prepare it.

In 18 Edward II., 6 May, 1325, another Summons is issued to the

Lord Warden for the return of two Barons from each port to Parliament. No return.

After this the summonses are usually addressed to the Lord Warden to return two Barons (the exceptions will be noticed), and therefore it will not be necessary to repeat this fact in every instance, but the month in which the writ was issued and place of meeting appointed for each Parliament will be given, with the names of the Barons returned for Hythe. When the names are not given it is because either there was no return, or the returns if made cannot be found. This matter will be referred to hereafter when the reasons for the non-attendance of members is dealt with.

19 Edward II., October, 1325. Westminster.

20 Edward II., December, 1326. Westminster. This Writ prorogues the day of attendance fixed by a previous Writ, which does not seem to be extant, having apparently been issued during the King's absence abroad. Queen Isabella and Prince Edward, the latter being "Keeper of the Realm," were to hold this Parliament, if the King continued absent.

This was the last Parliament of Edward II., previous to his deposition and murder, 1327.

1 Edward III., April, 1327. The summons is to the Mayors, Barons, and Bailiffs of each of the following ports: Dover, Rye, Sandwich, Faversham, Hastings, Winchelsea, Romney, Hythe, and Pevensey, for service of ships against the Scots.

1 Edward III., August, 1327. Lincoln.

1 Edward III., December, 1327. York, to give their advice touching certain Articles of Peace then in negotiation with the Scots and Robert Bruce.

Scotland was still fighting for her independence under Bruce. By the Treaty of Northampton her independence was recognised and Bruce acknowledged as King.

2 Edward III., March, 1328. Northampton, where the King intended to confer "with the prelates, magnates, and noble men (proceres) of the Kingdom" touching certain matters which had not been settled in the Parliament at York, owing to the absence of many of them, and also touching other matters.

2 Edward III., June, 1328. York. "Upon great and arduous affairs" which had arisen since the Parliament at Northampton.

2 Edward III., August, 1328. A summons for the same purpose to New Sarum, some of the persons summoned having failed to attend at York, to the King's great injury.

This Parliament was adjourned to Westminster, in February, 3 Edward III., when proclamation was made for its re-assembly.

In 3 Edward III. (1329), a conference was summoned to meet at Windsor, but the Cinque Ports were not included in the summonses.

4 Edward III., January, 1330. Winchester. The Writs were dated at Eltham.

The Barons of the Cinque Ports were not summoned to a conference held at Oseney, in July of the same year, touching certain urgent matters which had newly arisen; nor to another conference at Nottingham, which took place a few months later.

4 Edward III., October, 1330. Westminster. For reformation of the state and government of the Kingdom, which had greatly deteriorated since the King's accession, the King had determined on this Council for the ease of his conscience.

5 Edward III., February, 1331. Westminster. To confer with the King touching important matters relating to the Duchy of Aquitaine, and other the King's territories beyond the sea.

This meeting was countermanded by other letters patent in March, with the assent of the prelates, earls, and barons, whom the King had assembled, peace having been made with the King of France.

5 Edward III., July, 1331. Westminster.

The Barons were not summoned to a conference held at Westminster in the following January.

6 Edward III., January, 1332, certain nobles and others, but not the Cinque Ports, were summoned to attend the King in his passage to Ireland for the subjugation of the Irish rebels.

6 Edward III., January, 1332. Westminster. Previously to the King's commencing his journey to the Holy Land with the King of France and other Kings and Princes for the recovery of the Lord's inheritance.

6 Edward III., July, 1332. Westminster. Touching important matters relating to England and Ireland.

6 Edward III. (1332). A summons for ships to convey the King and his forces to Ireland, dated 22 July, addressed direct to the Mayors, Barons, and Bailiffs, of Dover, Rye, Sandwich, Faversham, Winchelsea, Romney, Hythe, Hastings, and Pevensey. The ships were to be at Holyhead by a certain day. This summons was countermanded in September following.

6 Edward III., October, 1332. York, certain important events having happened in the north parts. Some of the prelates and nobles summoned did not attend, and the Parliament was prorogued till the following January.

In the 7th year, the King went in person to the north, to repel the invasion of the Scots, so that no Parliament was held till the end of the year, i.e., the beginning of the year, 1334.

7 Edward III., January, 1334. York.

8 Edward III., July, 1334. Westminster.

8 Edward III., December, 1334. A summons to William de Clynton, (apparently *not* as Lord Warden) "to attend the King against the Scots as soon as he returns from foreign parts, whither he had been sent to despatch certain affairs, about which the King wishes to be informed by him."

The Barons of the Cinque Ports were not summoned to a Council at Nottingham in the 9th year. This Council consisted of only 30 persons.

9 Edward III., April, 1335. York.

In the previous month the King had summoned the principal tenants by Knight service to attend him with horses and arms at Newcastle, for the invasion of Scotland.

9 Edward III., January, 1336. Westminster.

10 Edward III., May, 1336. The City of London and 21 other Cities and Towns were commanded to send four merchants each to Oxford to attend the King or his Council, but the only Cinque Port named is Sandwich.

10 Edward III., August, 1336. To a Council to be held at Nottingham, touching the failure of the negotiations authorised by the Parliament held at Northampton with the King of France and David Bruce, the former having asserted his intention to assist the Scots against England.

10 Edward III., November, 1336. York. This Parliament was "prorogued" before it met by Writs issued in December, till February following. It was further prorogued by Writs dated in the following January, when it was fixed to be held at Westminster at the end of February, 1337.

10 Edward III., December, 1336. Writs were directed to Bristol and the principal Southern Ports to send three or four men each to London to attend the Archbishop of Canterbury, the Earl of Surrey, Henry of Lancaster, and William de Clinton, who had been appointed by the King to confer touching the defence of the realm.

The Writs to the Cinque Ports are directed as follows :

To the Bailiffs of the Town of Sandwich.
To the Mayor and Bailiffs of the Town of Winchelsea.
To the Bailiffs of the Town of Romney.
To the Bailiffs of the Town of Reculver.
To the Mayor and Bailiffs of Dover.
To the Bailiffs of the Town of Rye.
To the Bailiffs of the Town of Pevensey.
To the Bailiffs of the Town of Hythe.
To the Bailiffs of the Town of Faversham.
To the Bailiffs of the Town of Hastings.
To the Bailiffs of the Town of Folkestone.

The men from Hythe were Johannes Hope, Willielmus Brownyng, and Radulphus Fyncelot. These members were residents in the town.

A similar conference was to be held at Norwich, at which the principal Northern Ports were to be represented.

11 Edward III., April, 1337. The following Cinque Ports were summoned to send two men each to Chichester, to confer with certain persons whom the King would send thither about the state of the Kingdom in those parts; viz., Dover, Hastings, Romney, Sandwich, Faversham, Hythe, Pevensey, and Rye. The writs are directed to the "Mayor and Bailiffs" of each port. The only other ports summoned to this conference were Lyme and Southampton, the latter sending four men.

11 Edward III., August, 1337. To a Council at Westminster, touching the King's intended expedition to France, and the safeguard of the Kingdom during his absence.

11 Edward III., September, 1337. A Summons to the Mayors and Bailiffs of certain Towns and Ports, including Dover, Winchelsea, Faversham, Hastings, and Sandwich (but not Hythe), to return three or four men each to a Council at Westminster touching the affairs of the Kingdom and the safe custody of the same towns and ports.

11 Edward III., December, 1337. Westminster, touching the state of the Kingdom and of the King's other territories, and also for the despatch of various important matters about which the Pope had sent certain Cardinals to the King.

12 Edward III., June, 1338. To a great Council at Northampton to pro-

vide for the defence of the Kingdom during the King's proposed absence beyond the sea ; Edward, Duke of Cornwall and Earl of Chester, the King's eldest son, having been appointed Lieutenant in England during the King's absence.

12 Edward III., October, 1338. A Council was summoned to meet at Westminster, but the Cinque Ports were not invited to attend.

After this date Parliaments were usually held at Westminster ; the exceptions to this rule only will be noticed.

12 Edward III., November, 1338. To consult about the King's " expedition," his rights beyond the sea, and the defence of the realm.

12 Edward III., December, 1338. A writ to the Lord Warden proroguing the meeting of Parliament, and requiring the attendance of the Barons a few weeks later than the date originally fixed.

13 Edward III., August, 1339.

13 Edward III., November, 1339. For the settlement of various matters which the previous Parliament had prayed the King to refer to a fresh Parliament.

14 Edward III., February, 1340.

14 Edward III., May, 1340. In the King's absence beyond sea, his eldest son Edward, Duke of Cornwall, and Earl of Chester, Keeper of the Kingdom of England, was to attend this Parliament (as president).

14 Edward III., September 1340. Writs to Bristol and other towns, including Sandwich only of the Cinque Ports, to send four men each with the Mayor or Bailiffs of each town, to appear before the King's Council at Westminster or London, and give information about certain matters which would be proposed to them by the Council in reference to the King's expedition and the state of the realm. They were also to perform whatever should be commanded by the Council.

15 Edward III., March 1341.

16 Edward III., April, 1342. Writs to the Mayor and Bailiffs of Winchelsea, and other Ports, including Faversham, Sandwich, Dover, Hythe, Romney, Rye, Hastings, and Pevensey, to return two of the best and most discreet mariners of each Port to give their advice in the King's Council. The writ dated at Eastry, Kent.

16 Edward III., September. A Council to which the Cinque Ports were not invited

17 Edward III., February, 1343, to consider the proposed peace with France, a truce having been made at the instance of the Pope, to whom commissioners (*nuncios*) were to be sent by both sides for the negotiation of the terms.

18 Edward III., April, 1344. To confer as to the honour and defence of the Church of England, and the salutary government of the people.

20 Edward III., July, 1346. Touching the expedition of the King's war, his rights beyond the sea, and the defence of the Kingdom.

21 Edward III., November, 1347.

22 Edward III., February, 1348. To confer touching the violation of the truce by France, and the threatened invasion of England by a very large French fleet.

22 Edward III., November, 1348. To confer touching negotiations with France and Flanders. Edward de Balliol, King of Scotland, was summoned to this Parliament.

22 Edward III., January, 1348. Writs proroguing the meeting of Parliament till Easter, on account of the sudden prevalence of a mortal pestilence in Westminster and neighbouring places.

23 Edward III., March, 1349. Further prorogation for the same cause "sine die." No writ to the Lord Warden is recorded, but this was doubtless an oversight.

24 Edward III., November, 1350.

25 Edward III., November, 1351.

26 Edward III., July, 1352. To a Council at Westminster called to provide for certain urgent matters which had suddenly arisen.

27 Edward III., June, 1353. Summonses to certain Merchants in various ports to attend a Council at Westminster about matters "specially concerning" England, Ireland, and Wales, under a penalty of £1000 each in case of non-compliance. Only four were summoned from two of the Cinque Ports, viz: Nicholas Espiloun and William Ive, of Sandwich, and Peter Fisshe and John Finche, of Winchelsea. Some foreign merchants were also summoned.

27 Edward III., July, 1353. To a Council at Westminster.

28 Edward III., March, 1354.

29 Edward III., September, 1355. Prorogued by Writ to Lord Warden.

29 Edward III., October, 1355. The writ is dated at Sandwich.

31 Edward III., February, 1357.

31 Edward III., December, 1357.

32, 33, and 34, Edward III. Three Councils were summoned, but there is no Writ to the Lord Warden. In the 33rd year the King went beyond the sea, leaving his son Thomas as Keeper of the Kingdom and the King's Lieutenant.

34 Edward III., April, 1360.

34 Edward III., November, 1360.

36 Edward III., August, 1362.

37 Edward III., June, 1363.

38 Edward III., December, 1364. Besides the "arduous and urgent affairs" usually mentioned in these Writs, "the rights of our Crown" are also propounded as a subject for discussion. They are also specified in later years.

39 Edward III., January, 1366. Willielmus Hampton and Willielmus Rok. Willielmus Hampton was bailiff in 1349, and on several occasions afterwards. "Rok" was a town name, vide 1392.

40 Edward III., and 41 Edward III. No summonses to Parliament have been found in these years.

42 Edward III., February, 1368. Willielmus Hampton (vide 1361). and Henricus Brownyng. Henricus Brownyng was bailiff in 1377.

43 Edward III., April, 1369.

44 Edward III., January, 1371.

45 Edward III., April, 1371. Summonses to some of the members of the preceding Parliament to attend at and explain its intentions touching a Subsidy of 22s. 3d., granted from every parish, and which was intended to provide £50,000 required for the expenses of the French War, but the King had some doubts whether the whole amount could be raised in that manner. Richard de Pembrugge, Lord Warden, is commanded to summon Nicholas Parker, of Hastings, Robert Baddyng, of Winchelsea, William Taillowe, of Rye, William Holynbrok, of Romney, Willielmus Hampton, of Hythe (vide 1366), Simon Monyn, of Dover, and Arnald Brown, of Sandwich, Barons of the Cinque Ports.

The French War had been renewed in 1368 and continued until the truce, in 1389.

46 Edward III., September, 1372. Besides the war with France, "the state and defence of our Kingdom of England and of the Church of England" were propounded for consideration. Richard, eldest son of Edward Prince of Wales, was then Keeper of England and the King's Lieutenant. After this date the Church of England is usually mentioned in these Summonses, which began to assume a settled form. Willielmus Hampton (vide 1366) and Henricus Brownyng (vide 1368).

46 Edward III., October, 1372. Other Writs to the Lord Warden, proroguing

the day fixed by the preceding Writs for the meeting of Parliament. These are dated at Winchelsea.

47 Edward III., October, 1373. In this instance the two barons to be sent from each of the Cinque Ports were to be conversant with naval affairs (*de navigio*) and "the exercise of merchandise." In several previous Parliaments the navy (*navigium*) of the Kingdom had been proposed as a subject for discussion. Willielmus Hampton (*vide* 1366) and Johannes More. "More" is also a town name.

48 Edward III. No summonses have been found for this year.

49 Edward III., December, 1375.

Here the subjects for discussion are described in general terms as "certain arduous and urgent matters concerning ourself and the estate and defence of our realm of England and of the Church of England." As this form is usually observed after this date, it will be unnecessary to describe the purport of the future Summonses, except where there is some important difference. The only qualifications required from the Barons of the Cinque Ports elected were that they should be "of the better and more discreet" persons of that class. The old qualification, that they should also be "able to travel" (*potentioribus ad laborandum*), is henceforth omitted.

49 Edward III., January, 1376. Other Writs proroguing the date fixed by the preceding. Called "the Good Parliament."

50 Edward III., December, 1376. Robertus Hope and Gilbertus Frensche. Robertus Hope was bailiff in 1364.

1 Richard II., August, 1377. Willielmus Hampton (*vide* 1366). Johannes Dyn was bailiff in 1400, and a jurat in 1412. His goods and chattels were valued for cess at £30. The elder branch of this family is now represented by the Rev. John Bradley Dyn, D.D., of Rogate, Sussex.

2 Richard II., September, 1378. Gloucester. Henricus Brownyng (*vide* 1368) and Johannes Bernard. Johannes Bernard was town bailiff in 1374; his name also appears in the town records in 1349, and he is there described as "the Hermit of Wy."

2 Richard II., February, 1379.

3 Richard II., October, 1379.

4 Richard II., August, 1380. Northampton.

5 Richard II., July, 1381. Johannes Dyn (*vide* 1377) and Johannes Moore (*vide* 1373).

5 Richard II., August, 1381. Writs proroguing the date fixed by the preceding. The writs were dated at Eltham.

5 Richard II., March, 1382. These Writs refer to a subsidy from wools, hides, and fleeces, granted in the last Parliament for an Expedition against the King's enemies. The King, having determined to go to "foreign parts" in person "with a sufficient company," requires a loan for that purpose, with security for his "creditors in this behalf." Henricus Brownyng (vide 1368) and Johannes Bernard (vide 1378).

6 Richard II., August, 1382. Walterus Fishere (a Hythe name) and Johannes Berne. Johannes Berne was bailiff this year and in 1387.

6 Richard II., January, 1383. Johannes Dyn (vide 1377) and Henricus Brownyng (vide 1368). These Writs refer to the invasion of Flanders by Charles King of France, and the intended siege of Calais by that King. There was also some fear of an invasion of England by King Richard's enemies in Spain.

7 Richard II., August, 1383. Willielmus Rok (vide 1366) and Johannes Bernard (vide 1378). The principal object of these Summonses was the settlement by Parliament of the treaty of peace then in negotiation with King Robert of Scotland.

7 Richard II., March, 1384. Johannes Bernard (vide 1378) and Johannes Scot. This Parliament was to meet at New Sarum, and it appears from a second writ, dated at that City and addressed to the Lord Warden, that no Barons of the Cinque Ports had attended there as required by the first Writ, much to the King's surprise. The Warden is commanded to send thither the usual number by "Saturday next." Johannes Scot [John Scott] was a descendant of the family of Scott of Brabourne and Scotts Hall, Smeeth. He was Lieutenant of Dover Castle in the time of Henry IV. This is the first instance of the return of a foreigner (not a freeman) as member.

8 Richard II., September, 1384.

In the summons to Convocation of the same date reference is made to the frequent invasions of England by the French and their allies, with the intention of "subverting and destroying our said Kingdom and Holy Church, and also ourself and the whole English tongue."

9 Richard II., September 1385. Johannes Dyn (vide 1377) and Henricus Brownyng (vide 1368)

10 Richard II., August 1386. Henricus Brownyng (vide 1368) and Johannes Bernard (vide 1378).

11 Richard II., December, 1387. Johannes Dyn (vide 1377) and Willielmus Hughelot. Hughelot was also a town name.

12 Richard II., July, 1388. This Parliament was to meet at Cambridge. Walterus Fishere (vide 1382) and Johannes Condý. Johannes Condý was bailiff in 1420 and 1421.

13 Richard II., December, 1389. Johannes Dyn (vide 1377) and Henricus Brownyng (vide 1368).

14 Edward II., September, 1390.

15 Richard II., September, 1391. Henricus Brownyng (vide 1368) and Willielmus Condý. Willielmus Condý was town bailiff in 1412, and also a Jurat. His goods and chattels were valued for cess at £14.

16 Richard II., July, 1392. York. Johannes Frensche and Alanus Honywode. Johannes Frensche paid 8s. 6d. cess on 32 acres of land. Alanus Honywode was a jurat. The first mention of the Honeywoods in Hythe is in 1387, when John Rok gave a piece of land to Alanus Honywode, alias Wigayn, perhaps Wigan, in Lancashire.

16 Richard II., September, 1392. Writs proroguing the date fixed by the preceding Summonses *sine die*.

16 Richard II., November, 1392. Fresh Summonses for a Parliament at Winchester.

17 Richard II., November, 1393.

18 Richard II., November, 1394. Johannes Dyn (vide 1377) and Johannes Stormer. "Stormer" is an unknown name, but there was a "John Storm" living in the town at this date. Besides the usual subjects, this Parliament was also to consider "the prosperous rule and happy government of our land of Ireland and of our lieges there."

19 Richard II. No Summonses to Parliament have been found in this year.

20 Richard II. November, 1396. Johannes Dyn (vide 1377) and Johannes Honywode. Johannes Honywode carried on a large business in the town, although his goods and chattels in 1412 were estimated for cess at £6. He was a jurat and bailiff in 1411.

21 Richard II., July, 1397. It appears from other Writs that certain matters were left unsettled by this Parliament. It was accordingly prorogued

to Shrewsbury, where it was to meet in January, but only a limited number of persons were summoned—not including the Barons of the Cinque Ports.

In the 22nd year, certain ecclesiastics were summoned to meet at Oxford to give their counsel and advice upon certain matters touching an abominable schism then reigning in the Church of God; which matters would be proposed to them by the University of Oxford.

23 Richard II., August, 1399. Thomas Canterbury and Alexander Appulford. The King abdicated, and Parliament did not meet. Thomas Canterbury was a resident. His goods and chattels were valued for cess at £16. He is referred to in the town records as of Sandwich. Alexander Appulford was a farmer and grazier and a jurat in 1412. His goods and chattels were valued at £24 for cess. His name appears in the town records in 1387.

1 Henry, IV., 30 September, 1399. This writ was issued before the deposition of Richard II. Parliament met on 6 October, and the Archbishop of Canterbury reported the deposition of Richard II. and the succession of Henry IV., and with the concurrence of the Lords and Commons the Parliament was continued until after the Coronation, and met again on 13 October. Sir Thomas Erpingham, Lord Warden of the Cinque Ports, was the person deputed by the Convention of States to declare the deposition of Richard II., for all the Commons of the Land, but it does not appear in what capacity he was elected for this duty, or whether he was a Lord of Parliament or a member of the House of Commons.

1 Henry IV., 9 September, 1400.

2 Henry IV., 9 October, 1400. By these Writs the date fixed by the preceding Writs was altered, and also the place of meeting, which was to be at Westminster instead of York.

3 Henry IV., December, 1401. Thomas Casebourne and Alexander Appulford (vide 1399). Thomas Casebourne was a brewer and a jurat in 1412. His goods and chattels were valued at £10 for cess.

3 Henry IV., June, 1402.

3 Henry IV., August, 1402. These Writs prorogued the date fixed by the preceding Writs.

5 Henry IV., October, 1403. Coventry.

5 Henry IV., November, 1403. Prorogation of date of meeting.

5 Henry IV., August, 1404 Coventry.

6 Henry IV. No Summonses have been found for this year.

7 Henry IV., December, 1405. Coventry. Thomas Casebourne (vide 1399) and Henricus Philipot. Henricus Philipot was a jurat, and dealt in woollen cloth, and in 1412 he paid a maltote on a "coat of mail and doublet of defence," sold for 13s. 8d. His goods and chattels were valued at £40 for cess.

7 Henry IV., January, 1406. Deferring the date fixed by the preceding Writs, and changing the place of meeting from Coventry to Gloucester, as the King wished to be near the Prince of Wales, who was about to make an expedition into Wales against the rebels there, in order to punish them and effect their final conquest.

7 Henry IV., February, 1406. Further prorogation of the meeting of Parliament owing to the arrival of a French fleet in the mouth of the Thames, where many English were captured, the interruption of commerce between England and Gascony by the French, and the threatened attack on Calais, which matters prevented the King proceeding towards Wales, and compelled him to oppose the French in person. Under these circumstances "no better or apter place" for the holding of Parliament could be found than Westminster, where victuals and other necessities were more abundant than in other places. There is, however, no Writ to the Lord Warden, but the omission was probably accidental.

8 Henry IV., August, 1407. Gloucester. Henricus Philipot (vide 1405) and Martinus Frensche. Martinus Frensche is mentioned in the town records as having married the heir of John Giboune, of West Hythe.

11 Henry IV., October, 1409. Bristol. Alexander Appulford (vide 1399) and Stephanus Rye. Stephanus Rye was a dealer in fish, and was also a jurat. His goods and chattels were valued in 1412 at £36 for cess.

11 Henry IV., December, 1409. Proroguing the date and changing the place from Bristol to Westminster. These Writs are slightly different from the usual form as regards the Cinque Ports. The Lord Warden is to cause to be elected "from each of the Ports aforesaid, two Barons of the more discreet and "more sufficient, freely and indifferently, according to the form of the Statute "lately enacted and provided in our Parliament, and the form of a certain Writ "of ours directed to you in this behalf; and the names of the same Barons so to "be elected are to be inserted in certain indentures to be made thereof, between "you and those who shall be present at such election, although the persons so "to be elected shall be present or absent."

12 Henry IV. September, 1411. Stephanus Rye (vide 1409) and Henricus Philipot (vide 1405). Henricus Philipot was allowed 7s. 6d. for his share of wages of the first Parliament before Stephen Rye left him, and after his leaving for 32 days, viz., to the morrow of the Annunciation of the Blessed [Mary], 53s. 4d. There is no mention of these members in the Parliamentary returns, but the names appear in the payment of wages in the town records. "Mem: That Henry Philipot and Stephen Rye, barons of Parliament at London, in the 14th year of Henry IV., King of England, on the day of their return from Hethe to London, viz., the last day of January, in the above year, received on that day from the Exchequer £5. 6s. 8d. And the aforesaid Stephen came back on the morrow of St. Matthias the Apostle, viz., on the 26th day after he went from "Heth," for which time the Commonalty—beyond receipts—owes to the said Stephen 11s. 8d. And the aforesaid Henry came back on the morrow of the Annunciation of the Blessed Mary, viz., on the 55th day after he went from "Heth," for which time the Commonalty—beyond receipts—owes the said Henry. Paid H. Philipot, 60s. 10d. Paid Rye, 9s. 2d."

14 Henry IV., December, 1412. Henry Philipot (vide 1405) and Stephen Rye (vide 1491).

1 Henry V., 22 March, 1413. Thomas Casebourne (vide 1402), wages to Parliament, 22 days, 55s., and Stephanus Rye (vide 1409), wages for his share, first Parliament, 9s. 2d.; second Parliament, 15s. The entry in town accounts is as follows: Item paid Thomas Casebourne and Stephen Rye at the second Parliament, as appears by their accounts in allowance and payment, 110s. 10d. Item.—John Gildeforde for the same Parliament for eleven days and for one Berkele, 19s. Gildeforde was member for Sandwich, and the payment to a member of another town will be explained hereafter.

These Writs were issued on the second day of the reign.

1 Henry V., 1 December, 1413. Leicester. Thomas Casebourne (vide 1402) and Stephanus Rye (vide 1409).

1 Henry V., 24 December, 1413. Stephen Rye (vide 1409) and William Cannon. Prorogation of date of meeting, but without altering the locality. William Cannon was a brewer and a jurat. His goods and chattels were valued at £50 for cess. He was, according to his cess or rating, the richest man in the borough. The names are taken from the town records.

2 Henry V., September, 1414. Gloucester. Robertus Bannok and Willielmus Yoklete. Robertus Bannok was a jurat, and his goods and chattels were

valued £12 for cess. Willielmus Yoklete was a general merchant and also a jurat. His goods and chattels were valued at £16 for cess; he was under bailiff in 1405.

3 Henry V., August, 1415. John Duke of Bedford, Keeper of England, attests these Writs (i.e., in the King's absence).

3 Henry V., September, 1415. Prorogation of date of meeting. The same Duke attests these Writs also.

3 Henry V., January, 1416.

4 Henry V., September, 1416. The King was at Sandwich when he issued these Writs.

5 Henry V., October, 1417. Henricus Philipot (vide 1405), and Stephanus Rye (vide 1409). John Duke of Bedford, Keeper of England, attests these Writs.

6 Henry V. No Summonses to Parliament have been found this year.

7 Henry V., August, 1419. Henricus Philipot (vide 1405), and Johannes Skynnere (town records). The Parliamentary return gives Henricus Philipot and Henricus Tropham. John Duke of Bedford, Keeper of England, attests these Writs. The summons to Convocation about the same date specifies "the sumptuous and immense charges" which the King had to bear for carrying on the wars with his "adversary of France." Johannes Skynnere was a jurat and sold corn and cattle. He was paid 44s. 8d. wages in Parliament, and he entertained the Lieutenant of Dover Castle at breakfast, and was allowed for the same, six rabbits, 15d.; two capons, 12d.; ale, 9½d. The entry in the town accounts of the wages of these members is as follows:—"Mem. That Henry Philipot and John Skynnere, barons of the Parliament held at Westminster, 16th October, in the 7th year of the reign of King Henry V., after the Conquest of England, made account in the Common Hall, 29th day of November, in the above year, of their expenses going there and returning for 35 days, whereof the sum of wages is £8. 15s. And for fees to doorkeeper at the Parliament, 12d., £8. 16s. Whereof they received of the Exchequer when they returned, 30s., and there is owed to them £7. 6s., whereof they received afterwards, 56s. 8d., and they are owed £4. 9s. 4d. Whereof are paid £4. 6s. 8d."

Henricus Tropham was a jurat, possibly he was member the previous year.

8 Henry V., October, 1420. Alexander Appulford (vide 1399) and Johannes Overhavene. Humphrey Duke of Gloucester, Keeper of England, attests the Writs. Johannes Overhavene was a jurat and a dealer in fish. Alexander

Appulford in town accounts for 1420, is allowed for three rabbits for lieutenant's (Dover Castle) breakfast, 7½d., and three capons, 18d.

8 Henry V., February, 1421. Thomas Bromley and Johannes Leghe. Thomas Bromley is described as a barber; he was probably a surgeon. The "Barber Surgeons" were incorporated in 1462, after which date barbers were only hair cutters and allowed to perform no surgical operation except drawing teeth. Surgeons were, however, called "barbers" as late as Elizabeth. He also traded in timber and herrings, and was a jurat, his goods and chattels being valued at £12 for cess. Johannes Leghe was a dealer in fish, corn, cattle, and general merchandise. In town accounts for 1420 he is allowed 2d. for vinegar for lieutenant's breakfast. His goods and chattels were valued at £20 for cess.

9 Henry V., October, 1421. Johannes Overhavene (vide 1420) and Ricardus Rykedon. John Duke of Bedford, Keeper of England attests these Writs. Ricardus Rykedon (Rigden) was a lattener (brazier) and a jurat.

1 Henry VI., September, 1422. The same Barons were returned.

2 Henry VI., September, 1423. Johannes Skynnere (vide 1419) and Ricardus Rykedon (vide 1421).

3 Henry VI., February, 1425. Johannes Skynnere (vide 1419) and Johannes Prylle. Johannes Prylle was a dealer in fish, and also a jurat. His goods and chattels were valued at £10 for cess. Besides the reasons usually given for calling Parliament, the King wished also to ascertain whether during his tender years "peace and justice" were duly "preserved and administered" everywhere among his lieges, as no Kingdom could prosper without the observance thereof.

4 Henry VI., January, 1426. Leicester. Johannes Overhavene (vide 1420) and Ricardus Rykedon (vide 1421).

5 Henry VI., July, 1427. Johannes Skynnere (vide 1419) and Ricardus Rye. Ricardus Rye was a jurat.

7 Henry VI., July, 1429. Johannes Overhavene (vide 1420 and) Henricus Goodwyne.

7 Henry VI., August, 1429. Writs "abbreviating" the time fixed for the meeting of Parliament, i.e., appointing an earlier date than that mentioned in the preceding writs.

9 Henry VI., November, 1430. Johannes Leghe (vide 1421) and Stephanus Alby.

10 Henry VI. February, 1432. Henricus Tamworth and Johannes Leghe (vide 1421).

11 Henry VI., May, 1433. Ricardus Rykedon (vide 1421), and John atte Dalby, according to Harris' "Kent," but returns not found.

12 Henry VI., May, 1433. No summonses to the Cinque Ports or other towns. A limited Parliament, consisting of certain ecclesiastics or peers only summoned.

13 Henry VI., July, 1435. Johannes Overhavene (vide 1420), and Ricardus Rye (vide 1427).

15 Henry VI., October, 1436. Cambridge, Johannes Prylle (vide 1425) and Ricardus Rykedon (vide 1421).

15 Henry VI., December, 1436. Writs changing the place fixed by the preceding writs, from Cambridge to Westminster.

16 Henry VI. Only a summons to Convocation.

18 Henry VI., September, 1439. It appears from a writ to one particular sheriff that it was at first intended to hold this Parliament at Oxford, but the original summonses are wanting.

20 Henry VI., December, 1441. Johannes Overhavene, Senr. (vide 1420), and Thomas Russell. Thomas Russell was bailiff in 1447.

23 Henry VI., January, 1445.

25 Henry VI., December, 1446. Cambridge. Nicolas Brockhull and Johannes Honywode (vide 1396). Nicolas Brockhull was the eldest son of Sir John de Brokhull, of Brokhill Park, Saltwood, who was Sheriff of Kent in 42 Edward III. He left two sons, Nicolas, of Aldington, and Thomas the younger son, who inherited Brokhill and died in 1437. Nicolas, according to Harris, was twice member for Hythe, in this year and again in 1449. The Parliamentary return gives "Thomas" in the latter year, but this must be an error, as he was not alive. The present representative and lineal descendant of this family (the Tournay family having married into that of the Brockhulls in the latter part of the 15th century, is William Tournay Tournay, Esq., J.P., who now resides at the Park.

25 Henry VI., January, 1447. Writs changing the place of meeting from Cambridge to Bury St. Edmunds.

27 Henry VI., January, 1449. Thomas [Nicolas] Brockhull (vide 1446) and Thomas Honywode. Thomas Honywood was a descendant of the Member

in 1396, and a resident in Hythe. He died in the reign of Edward IV., leaving a son, John, whose descendants became possessors of Evington.

28 Henry VI., September, 1449. William Clyterowe and Ricardus Rykedon (vide 1421).

29 Henry VI., September, 1450. Johannes Honywode (vide 1396) and Alexander Lee. Alexander Lee or Leghe was a freeman of the town; in 1420 he paid cess on goods and chattels to the value of £6.

30 Henry VI. Only a summons to Convocation.

31 Henry VI., January, 1453. Reading. Thomas Stace and Thomas Honywode (vide 1449), Thomas Stace was a freeman of the town.

33 Henry VI., May, 1455.

34 Henry VI., January, 1456. Westminster. Only two summonses have been found.

38 Henry VI., October, 1459. Coventry.

38 Henry VI., July, 1460.

In the 6th, 8th, 17th, 19th 21st, 22nd, 24th, 26th, 32nd, 35th, 36th, 37th, and 39th years of Henry VI., no summonses to Parliament have been found.

1 Edward IV., May, 1461.

1 Edward IV., June, 1461. Postponing the date of meeting from July to November, owing to the invasion of England by the Scots, who had entered the city of Carlisle.

2 Edward IV., December, 1462. York.

2 Edward IV., 25 February, 1463. By writs of this date it appears that there were other writs, not now extant, appointing Leicester instead of York as the place of meeting. The present writs countermand the meeting at Leicester owing to certain irregularities which had taken place in the election of the Knights of many shires. A form of proclamation on the subject in English is comprised in these writs. It also makes a quaint reference to the observance of Lent.

2 Edward IV., 28 February, 1463. These summonses are for a fresh election, the proceedings under the previous summonses in December having been invalidated by the writs of 25 February.

6 Edward IV., February, 1467.

9 Edward IV., August, 1469. York.

9 Edward IV., September, 1469. Countermanding the preceding sum-

monses owing to the threatened invasion of England by the French and the Scots.

49 Henry VI., (9 or 10 Edward IV.) October, 1470.

10 and 11 Edward IV. Only summonses to Convocation.

12 Edward IV., August, 1472. Thomas Stace (vide 1453), and Robertus at Downe, a Hythe freeman.

17 Edward IV. No summonses, according to the Lords' Report ; but the Parliamentary Return gives, for Hythe, Williemus Luns and Johannes Stace (senior).

From this period the dates given are those at which Parliament met, and not the dates of the Writs.

22 Edward IV., November, 1482.

22 Edward IV., January, 1483. In the town records it appears that John Malmayne, the bailiff, was one of the members, and his expenses were paid. The entry is as follows—"Paid John Malmayne, in part payment of his wages to Parliament, 11s."

From the 3rd to 23rd of Edward IV., and in the three months of Edward V's. reign, no summonses have been found.

1 Richard III., January, 1484. John Sonde and William Waryn (a freeman).

In the 2nd and 3rd years of Richard III., no summonses to Parliament have been found.

1 Henry VII., November, 1485.

3 Henry VII., November, 1487.

7 Henry VII., October, 1491.

11 Henry VII., October, 1495.

12 Henry VII., January, 1497.

From 2nd to 24th Henry VII., no summonses have been found.

1 Henry VIII., January, 1510.

3 Henry VIII., February, 1512.

6 Henry VIII., February, 1515.

14 Henry VIII., April, 1523. Black Friars, London.

21 Henry VIII., November, 1529. London. Johannes Hall and Stephanus Harryes.

28 Henry VIII., June, 1536.

31 Henry VIII., April, 1539.

33 Henry VIII., January, 1542.

37 Henry VIII., November, 1545.

From the 2nd to 36th Henry VIII., no summonses have been found.

1 Edward VI., November, 1547.

7 Edward VI., March, 1553.

In the 2nd, 3rd, 4th, 5th, 6th years of Edward VI., and in the few days of Jane's reign, no summonses have been found.

1 Mary, October, 1553. No returns found.

1 Mary, April, 1554, Oxford. No returns found.

1 and 2 Philip and Mary, November, 1554. Johannes Esday and Thomas Keys. There was a family named Esday residing at Saltwood about this period, and the escutcheon of Henry Esday, gent., obt. 1610, was formerly in Hythe Church, but since the restoration it has been removed to the Corporation room, over the porch. The member, John Esday, was probably an ancestor of this gentleman.

2 and 3 Philip and Mary, October, 1555. Johannes Knight and Johannes Fowler. John Knight was a resident in Hythe: he "inned" some of the land between the town and the sea, which is described in the town records as "Knight's Innings."

4 and 5 Philip and Mary, January, 1558. Johannes Knight (vide 1555) and Ricardus Draper.

In the 3rd, 4th, 5th and 6th years of Philip and Mary, no summonses to Parliament have been found.

1 Elizabeth, January, 1559. William Baddyll (a freeman) and Ralph Hasilherst (a freeman).

5 Elizabeth, January, 1563. Edward Popham and John Bridgman. On a brass in the south aisle of the nave of the Parish Church, is the following inscription:—"Here lyeth ye body of John Bredgman, Jurat of this Town and Porte of Hethe, ye laste Bayly and fyrste Mayor of ye same, who dep'ted ye 3 of Decemb., Ao. 1581, and in ye 24 yere of ye R. of or Sovereign Laidye Queen Elizabeth."

Whylst he did live which heare doth lie, three sutes gatt of ye Crowne,
The mortmaine, fayer, and mayralltie, for Heythe, this auntient towne,
And was him self the Baylye laste, and Mayer fyrste by name.
Though he be gone, tyme is not paste to preayse God for ye same.

13 Elizabeth, 1571. William Cromer and John Stephens.

Amongst the Records is some interesting correspondence relating to the

Election, and from this it will be seen that whilst being pressed by some one whose name does not appear to return James Hales or Robert Honeywood as one of the Burgesses, the Lord Warden desired them to elect William Cromer. At the assembly which followed it was agreed that the Lord Warden should nominate one of the Burgesses, either Mr. Cromer, Mr. Hales, Mr. Honeywood or Mr. Keyes. This avoidance of the request of the Lord Warden brought an angry letter from the Castle, and a direction to comply with his Lordship's former request to elect Mr. Cromer and to "gain his further good will" by electing Mr. John Reade as the other Baron. An abject apology follows, and his Lordship's command to return William Cromer is complied with, but the right to elect one of their Burgesses, John Stephens, is maintained.

The letters are as follows :

Right worshypfull o^r duties & hertys remembred. We receyved notice by Mr. Thomas Honnywodd one Fryday the xxiiijth of this Instant Februarye wherby we vnderstand yowe request that Mr. Jeames Hales or Mr. Robt. Honnywodd may be retorned thys parlem^t for one of o^r burgey [syas] wherin we be verye sorrye that we cannot graunt y [our] desyer consyderynge that we shall have so mytched [e] of yo^r helpe for we have great cause by a forreyne Burgeyse to be carefull what burgeysyes we take for o^r ports for at the last parlem^t we had not a worse ennymye then one of o^r owne burgeysyes beinge no portesman. Also o^r Lord Warden hathe wrytten earnestlye vnto vs in the behalfe [of] Mr. Wyllyam Cromer and Mr. [Serieant*] Tho[mas] Keyse hathe made meanes for hym self. All w^{ch} consydered at a gen'all assembye we have agreed and wrytten to o^r Lord Warden that he shall nomynate one of o^r burgeysyes, viz., either Mr. Crom' Mr. Hales Mr. Honnywodd or Mr. Keyse, and consydering yo^u are a good porte man and o^r frend & counselere we wold be gladd that yo^r worshypp shuld atteynd o^r Lord Wardens good wyll. And so desyeryng God to send yo^u encrease of mytche worshypp to^t comyt yo^u to Godes hollye gou'nm^t. From Hethe this xxvth day of Ferbruarye a^o D'ni 1570.†

By yo^r lovyng frends to com'd,
the Baylyf and Jurates of H[ethe].

[Copy, without any address. It is written on one of several leaves, which appear to have formed part of a book containing copies of letters and depositions.]

* Struck out.

† Sic: We?

† i.e. 1571, modern style.

After my right harty co'mendac'ons, By late l'res written vnto me, from yo^r Lord Warden, It seameth unto me, That his hono^r doth vnderstand how, in the election of yo^r burgesses for the Parliament, ye have proceaded contrarie to his expectac'on and have nothing regarded his Lordshipps request for the choise of Mr. Willm. Crom', whome his hono^r did reco'mend vnto yow. Weh your doinges (on so resonable a request) being generally not well thought of, So, of his hono^r, the same are moche mysliked of. And therefore I have thought it good, to lett yow Tunderstand thus moche, Advising and exhorting yow, To conforme your selves at the least To thaccomplishment of my Lordes desire, according to his former l'res. And To gaine his L. further good will w^t condigne thanks (yf for supply of yo^r other burgesses rome) ye wyll at his L. request, and no'iation, accept and choise, one Mr. John Rede, a gent' well thought of and of good credite, ye shall doo his honor for this tyme, a very acceptable pleasure. But, at the least I wishe yow to follow his direction : touching the first motion, And herein spedelie, to lett his hono^r or me knowe yo^r full entent for answe^re. Thus fare ye well From Douo^r castell this 3. of Marche 1570.

Yo^r loving freind

(Signed) WYLLM. CRYSPE.

[Addressed :]

To my loving freindes
The Balive, Jurates,
& Comons of the towne
& port of Hithe.

Hast, hast.

Right Honorable and o^r singular good L. We rec' [l]etters from the Cas[tle ?] bearinge date the iij^a of this instant Martche by w^{ch} letters we pers[eive that] yo^r L ys not altogythers satisfyed according to yo^r expectac'on yn o^r form' letters touchinge the nomynatinge of one of o^r Burgeysyes Reprovynge the preservac'on of o^r liberties for w^{ch} we trust yo^r L wyll not be offendyd We may not deney yo^r L anye resonable req[uest] and o^r full meanyng was at the beginnyng that yo^r L shuld have the nomynatinge of one of them wth full confydence that yo^w wyll stan[d o^r] assewered good L &

spessyallye thys Parlym^ttyme For we meane [to be] sewters in the behalf of the pore estate of thys Towne o^r pore [port]e. Yo^r L may be advertysed that Mr.————* o^r late B[urgeys] to the Parlim^t was a greate ennymye to the portes notwthstanding we trust Mr. Wm. Crom' wyll be o^r frend whome we be content for yo^r lordshipps sake to graunt the place of one of them [o^r burgeisyes†] we haue appoyntyd wthin o^r Toune whiche both s[h]albe retorned as ys gyven vs in co'mandem^t, &c.

[Copy or draft, undated ; qu. March, 1571.]

14 Elizabeth, May, 1572. Thomas Honywode (vide 1449), and John Bridgman (vide 1563).

From the 2nd to the 26th Elizabeth no summonses have been found.

*Blank.

† Struck out.

PART III.

IT WILL be noticed that in 49 Henry III. (1264) the writs directed four men to be sent from each Port; and in 30 Edward I. (1302), to settle the Yarmouth quarrel, three or four. In 10 Edward III. (1336), when the summons came from the Archbishop and Commissioners, in the absence of the King, certain Towns, including Hythe, were again directed to send three or four men each. In 1336, Hythe sent three, namely, Johannes Hope, Willielmus Browning, and Radulphus Fyncelot. In April, 1337, two men were to be sent from each Port, and in September in the same year three or four men, but to this Hythe is not summoned. On all other occasions two were to be returned, except in 27 Edward III. (1353) and 45 Edward III. (1371), when one was to be sent.

In 40 Edward III. (1366) Willielmus Hampton and Willielmus Rok are returned, and from that time with some intermissions the names of the members have been found up to the present time. The previous returns are not forthcoming; the writs were issued to the Cinque Ports, but the names of the members have not been found. They only appear as Deputies in 1336, sent for a certain purpose, and not as members of Parliament. In many years when the returns are not found they are no doubt lost, but in earlier times the absence of the return arises from other causes. The Lord Warden might have assumed the power of determining the Port from which the members were to be chosen, as there are returns from some of the Ports and not from others, or he might have made no return. From whatever cause the absence of members arose it is certain the towns would not complain; they would be only too pleased to escape the burden of paying the Parliamentary wages and expenses.

In the interesting Report on the Romney Records by Edward Salisbury, Esq., published in the 17th vol. of *Archæologia Cantiana*, p. 17, several instances are given in the reign of Henry VI. of the payment by Romney of part of the expenses of members as representing that town and Dover.

The return of members shews that in the years referred to there were separate members for each town, and Mr. Salisbury points out that no indication is to be found that certain members represented *both places at once*, as the payment of the expenses would imply. The explanation of the anomaly is this. Separate members were returned for each town, but by an agreement between the towns, in order to save expenses, the members of some of the towns returned home, leaving the interests of their towns in the hands of the members remaining, and the expenses were afterwards divided between the several Ports.

The following resolution on the subject was passed at a Brotherhood and Guestling in 22 Hen. VI.:—"Resolved to make interest that certain Burgesses of Parliament returned for the Cinque Ports may be permitted to return home after abiding four weeks, and part to remain, as it was used by old custom."

In 15 Richard II. at a Brodhull (a meeting of the Ports) on Tuesday on the Feast of St. Barnabas the Apostle (11th June) an agreement was entered into whereby the expenses of the Ports (other than for the service of ships, for which every Port was bound to a sum certain) were to be levied as follows:—"Hastings one-third part, Romney and Dover one-third part, Sandwich and Hythe one-third part." (Jeake's Charters, p. 93).

The ancient towns of Rye and Winchilsea appear to have shared the one-third with Hastings, for by an agreement entered into between these three last mentioned towns in 17 Richard II. (20th February, 1394) amongst other charges it was provided:

"That touching the general charge and costs of any persons or person abiding at the Parliament in the name of all or for all the towns, members, and commonalties of the Cinque Ports, of which charges, costs, expenses and payments the said towns of Hastings, Winchelsea, and Rye anciently have borne the one-third part, the said towns shall bear their charge every one of them severally in the form that followeth: that is to say, when the share of the said towns of Hastings, Winchilsea, and Rye amounteth to £7, then the said town of Winchilsea shall pay and answer of that sum £3, and the said towns of Hastings and Rye £4, in equal portions, and so by all time to come according to the quantity of the sum, greater. Provided always that for all the time that any person or persons be sent by any of the towns of the Cinque Ports to Parliament by writ of Our Lord the King, that is to say, of every town two persons as they were wont to come, or that any of the towns or single person be impeached

“ apart severally of a thing which toucheth not the general franchises or common usages of the Cinque Ports aforesaid, that every of the towns aforesaid or single person shall bear and keep their charge severally.” (Jeake p. 96.)

No doubt a similar agreement existed between Romney and Dover, and hence the division of the expenses referred to by Mr. Salisbury.

The question arises who were the Electors, what was the qualification, and who were the Members? It is proposed to divide the consideration of this into two periods—the first previous to 1575—the second since that date.

In the first period the Town was governed by its “ Custumal,” which was lost or given up to the Crown, and the contents of which were unknown until recently, when a copy was found in very fair condition entered in an old Account Book of 1483. From this it appears that the Government of the Town (which was also a Hundred) was vested in 12 men elected annually by the General Assembly. The General Assembly, as the word implies, would consist of the whole Body of Inhabitants who had become entitled to the rights and privileges of the Town, which could be claimed by a residence of a year and a day and the payment of Scot and Lot, by being the owner of a freehold tenement, by birth in the town if the father was free, or by marriage with the daughter of a freeman, by gift, or by purchase of the freedom. These would elect 12 Jurats, and the most ardent Radical could scarcely in these days wish for a more democratic assembly than that possessed by Hythe four centuries ago.

The Jurats’ Accounts of 1412-13, 1413-14, 1414-18, and 1418-19, (which have been admirably translated by the Rev. Thomas Shipdem Frampton, F.S.A., and presented to the town), shew that the Members were two of the Jurats selected by that body, and were paid wages while attending Parliament. The payments have already been set out in the descriptions of the Barons returned. The entry as to the Election is as follows:—

1413 to 1414	}	“ Mem.—Names of the Barons they chose to Parliament	} Stephen Rye. William Canon.”
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The amount and payment of wages or expenses were provided under Edward II. by a Writ “ de levandis expensis,” issued at the close of the Session at the request of the Member to the Returning Officer, the amount being for Borough Members at the rate of 2s. per diem, but the payment by Hythe appears to have varied from 2s. to 4s. per day, besides expenses of journeys.

These payments can be traced in Hythe up to the time when the resident

Burgess disappears and the seat became an object of desire on the part of the Crown and the county families. The late Lord Chancellor Campbell, in his *Life of the Lord Chancellor Nottingham*, gave it as his opinion that the Writ might still be claimed, and that no new Act is required for those who desired to resume the practice ; but a member exercising this right, if it still exists, might possibly find some objection on the part of his constituents at his next election.

There was a tax in the Wards of the Town at the close of the reign of Edward III. known as "grotys," or groats. The Members of Parliament for the Borough seem in the time of Richard II. to have had their stipend paid them partly in "grotes" (*H.M.C., Appendix, 4th Report, fol. 438*).

The Statute of 1st Henry V., c. 1., enforced residence both for Electors and Elected alike, and this Act, though avoided for many years previously, was not repealed until 14 George III., c. 58. At a Guestling held at Romney on the 22nd day of July, in 14 Elizabeth, it was ordained that "there shall no Baron of the V. Ports from the several Ports be elected into Parliament or to Yarmouth but if he be Mayor, Bailiff, or Townsman of the Town that he is chosen of, and no Town, Mayor, Bailiff, Jurates, and Commonalty make otherwise their Election or Return." And at another held on the 8th day of July, in 1 James I., the same was decreed under the penalty of Twenty Pounds to be paid by the offending town. After this, at another Brotherhood, the penalty was made forty pounds, and ten pounds penalty on him that either gave or made a vote for any person not so qualified as above.

Hythe appears to have generally observed the provision as to residence ; the Members are well known Hythe names, and as far as can be traced were elected by the Jurats alone from out of their own body. The right to elect a member was no privilege ; it was regarded as a burden both to the elected and elector. The freemen were not likely to care about exercising their right, even if they had any, and there is not the slightest evidence that any such rights were ever claimed or exercised at the period under consideration.

The first interference of the Lord Warden in the Election appears to have been in 1571, unless Edward Popham, who was one of the Barons in 1563, and who is described in the letter of the Bailiff and Jurats in 1570 (*fol. 54*), as the "great enemy to the Ports," was also a nominee of the Lord Warden ; it is not a Hythe name. For some time after 1571, the custom appears to have been for the Lord Warden to nominate one Member, the other being a Jurat.

The Members had to find bail for their attendance and competence ; they

were likewise furnished with commissions to act for the Electors, but in the year 1406 it was directed "that the names of the persons chosen shall be written "in an indenture under the Seal of them that did choose them." And this was considered a sufficient authority.

For disobeying the summons a member was liable by statute (1382) to a fine.

The newly elected member took the following oath :

" I shall faith bear to our Sovereign Lord King and his lawful successors, and the liberties, privileges, franchises, and customs of the Cinque Ports, two ancient towns, and their members, but especially of this town and Port of Hythe, to the utmost of my power shall maintain and defend, so help me God."

Such was the history of the representation of Hythe up to the time of the Incorporation of the Town by the Charter of Elizabeth, in 1575, under the title of Mayor, Jurats, and Commonalty.

Two points must be borne in mind in connection with the Parliamentary representation.

In the first place Parliaments were formerly held annually ; these were not annual sessions, but there was a newly-elected Parliament in each year, and sometimes more than one. Thus in 1330 it was enacted that " a Parliament shall be holden every year once, and more often if need be ;" and this was again declared in 1362. During the 50 years' reign of Edward III., 48 Sessions of Parliament are recorded. In 1328 four Parliaments were held, three in 1340, and two in many other years. But the summoning of a Parliament was entirely in the discretion of the King, and no provision was made in the event of his Majesty failing to issue the writs. Thus the provisions of the Acts for annual Parliaments could be dispensed with at the King's pleasure. To remedy this the Triennial Act was passed in 1641, providing for the duration of Parliament for three years, and for its assembling in case of default of issuing the writs. This was repealed in 1664, but re-enacted in 1694 ; and in 1716 the term was extended to its present period of seven years. The Tories in those days opposed the extension, being advocates for what at the present day is considered a most radical measure, namely, annual Parliaments.

In the second place there was but one House, although the Burgesses, being of a different class from the Clergy, Barons, and Knights of the Shire, formed a distinct assembly, deliberating and voting apart. Whether they had a separate chamber, or sat at the lower end of the same chamber as the Clergy, Barons, and

Knights is not known, but that they voted as a class is evident, as the subsidies granted (for which purpose in early times they were chiefly summoned) are voted in different proportions. For instance in 1296, the Barons, Knights, and Clergy gave $\frac{1}{3}$ th, the Burgesses $\frac{1}{4}$ th. The exact date of the division of Parliament into two Houses is unknown, but it was completely effected before the middle of the 14th century.

There was no property qualification for Borough Members until by the 9th Anne, c. 5, the qualification was fixed at £300 per annum, to be derived from freehold or copyhold estate. This continued until 1838, when by 1 & 2 Victoria, c. 48, personal property to the same amount was admitted as a qualification, and in 1858, by 21 & 22 Victoria, c. 26., the property qualification was abolished altogether.

The grant of the Charter by Elizabeth in 1575 was no doubt looked upon as one of great benefit to the town, but, strange to say, one of the most important results was the curtailment of the rights of the people—rights which were partially restored to them by Lord Beaconsfield, after a lapse of 300 years, though even now, one, the power of the appointing of their own Magistrates (for the Jurats were Magistrates elected by the people), has not been conceded.

How all this came about the records of the Corporation plainly shew. The Corporation possessed a considerable amount of property, and the right of returning Members became a valuable privilege. A seat in Parliament was the desire of the county gentlemen, and a matter of importance to the Government of the day, as well as an indirect if not a direct pecuniary advantage to the electors and the elected. The object, therefore, of the new Corporation was to secure these benefits to themselves, and to construe the grant in as limited a sense as possible. In this they were aided by the apathy of the inhabitants, and by the fact that the benefits were of gradual growth. The right of obtaining the freedom by a residence of a year and a day, and by the payment of Scot and Lot, or as the owner of a freehold, or by purchase, unless with the consent of the Corporation, disappeared, leaving only the right of obtaining the freedom by birth or by marriage, or by gift; and these in the lapse of years limited the Freemen to a very small number of families, in whom power and perquisites became vested. Even the exercise of the right of presenting the freedom was utilised with the same object. The gift was seldom made to the residents in the town, but to county gentlemen, and their sons and relatives, who could be relied upon not to interfere with the affairs of the town, and who appeared at the election

of a Member of Parliament from all parts of the country to support the candidate adopted by the Corporation at the suggestion of the Lord Warden or of the Government. And to such an extent was this carried that in 1816 there were only 22 resident Freemen to about 100 non-residents. No doubt many of the non-residents were sons and sons-in-law of the Members of the Corporation who had obtained lucrative situations from the Members, who in those days had a large amount of patronage at their disposal. Thus it is not surprising to find that Hythe was deemed a Borough whose Members could always be relied upon to support the Government; and although the law as to the election of residents only was still further insisted on by the following decree of the Brotherhood and Guestling in 14 Elizabeth:—"Decreed that "no Burgess be chosen to Parliament out of the Cinque Ports except "he be a freeman resident, and inhabiting or of counsel with the Ports "and receiveth a yearly fee of the Ports and Members or any of them, and this "because it hath been common to choose persons ignorant of the privileges of the "Ports;" yet the law and decree were alike evaded by the presentation of the freedom of the town to the new member, who thus became a resident, for there was no limit to the actual residence of a freeman to entitle him to the rights and privileges of the Town.

The Assembly Books of the Corporation are in a fair state from 1580 to the present time, so that the difficulty of ascertaining the names of the Electors and the Elected which occurs previously to this period does not arise, and the history of the Representation is clear.

The Charter of Elizabeth, 1575, before referred to, changed the governing body of the town from the 12 Jurats elected time out of mind by the common assembly, to a Corporation, consisting of a Mayor, 12 Jurats, and an undefined number of Commoners. The proceedings at the Parliamentary Elections for some years under the new regime are very interesting, as shewing the mode of Election, and the influences brought to bear on the Electors. Charters were not obtained without some return being at any rate expected, and it is evident from the letter of Lord Cobham, the Lord Warden, set out in the proceedings at an early Election after the Charter, that the Mayor and one of the Jurats had some private conversation with his lordship, and that the return expected by the Court in this instance was the nomination of one of the members. His lordship only recommends, but this recommendation was, as will be seen hereafter, extended by future Lords Warden into a right which could not be set

aside without an Act of Parliament. Following the precedent set them by the Jurats, the Mayor, Jurats, and Commonalty for some years kept to themselves the right of returning the Members ; then the Freemen were gradually admitted to take part, but (as will be seen hereafter) their right to do so was not authoritatively settled until 1710, and even then, as before explained, they were a very limited and exclusive body.

The parliament of 1572 was dissolved in April, 1573, and the next was not summoned until 1584. A letter from Sir Thomas Scott, of Scott's Hall, Brabourne, a member of a family who appear to have had considerable influence in the town, shews the eagerness with which seats were beginning to be sought for. Mr. Bridgman, the Mayor, died on 3rd December, 1581, and on the same day Sir Thomas asks for the return of his brother or son. The election did not take place until three years afterwards, and his wish was not gratified. The letter is as follows :—

“ After my vearie hartie Comendac'ons, Forasmoche as I ame certefied that
 “ Mr. Bridgman is departed out of this liffe, I earnestliee desire yo^w to graunt
 “ yo^r favorable and frendlie consentg that either my brother, Charles Scott, or
 “ my eldest Sonne may be chosen by yo^w as Burges for yo^r Towne in the
 “ P'liament House in his place, in doinge wherof yo^w give me iust cause to be
 “ carefull that nothinge passe in the said P'liament house that may be p^riudiciall
 “ to the estate of yo^r towne or any lib'tie yo^w haue, but that yo^w shall find both
 “ my self and any of these two that yo^w shall chose for yo^r burgs, faythfullie to
 “ deale for yo^w by o^rselves and all other good meanes we can in this behaulf, and
 “ so I comend yo^w to the Lord from Scott's Halle this third of Decembr, 1581-2.

“ Yo^r vearie assuured frind,

“ THOMAS SCOTT.”

The Minutes in the Assembly Books and the correspondence give an insight into the proceedings, shewing the various changes, the extension of the franchise, and the gradual growth of the power of the people.

In 1584, Lord Cobham writes as follows :—

“ To my lovinge fryndes the Mayor, Jurats, and Commons of the Towne and
 “ Port of Hythe.

“ I commende me unto you. According to my speeches uttered unto you,
 “ Mr. Mayor, and to one of your Jurats at your late beinge with me, I have nowe
 “ received annswer from the Courte, whereby I am requyred to recommede unto
 “ you Thomas Bodyly to be chosen by you for a Burgesse to the Parliament, with
 “ some other personne of your owne towne, whom you shall knowe to be sufficient

“for the place, and mainly well affected in religion and towards the present state of this government. Wherein I woold wishe that good consideration should be had of the man, who shalbe soe elected, for the partie whom I am willed to nominate, besydes the comendacion which is deliyyred unto me of him, I am persuaded that he is such a one as maie and will be readye to pleasure you and your towne, and of that credite as may staunde you in steade. So fare ye hartely well. From Cobham Halle, the 25th October, 1584. Your lovinge frynde, W. Cobham.”

The member recommended was afterwards better known as Sir Thomas Bodley, the munificent founder of the Bodleian Library, Oxford.

The Election is thus recorded in the Assembly Book.

“Memorandum—That the 27th daye of October, 1584, Mr. Mayor, the Juratts, and Comon'ty, being assembled in the Comon Hall there, touching the answering of a letter sent from Mr. Lieutenant of Dover Castle, in the name of the Lord Warden, wherein his honor maketh request to have the nomynation and election of one of the burgesses to the Parliament w^{ch} goe out of Hethe uppon the next Sumons for the same, whereuppon the sayd Mayor, Juratts, and Comon'ty have uppon good consideration granted his honor's request, and that his honor shalbe answered accordingly.”

“Memorandum—That the first daye of November, 1584, Mr. Mayor, the Juratts, and Comon'ty beinge assembled in the Town Hall there, to choose and appointe Burgesses to the Parliament to be holden the xxijrd day of this instant of November at Westm^r, accordinge to the Sumons in that behalfe directed, as also accordinge to the effect of a l're sentt to the sayd Mayor, Juratts, and Commons from our Lord Warden in the behalfe of one Mr. Thomas Bodyly, whoe is ellected to be one of the said Burgesses by the Lords of Her Ma^{ty}s Privie Councell, and also p'ferred unto us by y^e Lord Warden as a man very meet for the same, and lykewise allowed to be one by the sayd Assembly. And for the Election of y^e other Burgess for the sayd towne, the sayd Assembly have no'iated, elected, and chosen, Christopher Honiwood, gent., Mayor there, together with the sayd Mr. Bodyly, to be and appeare at Westm^r at the day above sayd, and the sayd Mr. Honiwood is to be allowed for his fee in this s'vice [service] iiij^s. the daye duringe the tyme of the said P'liament, and also to goe comyssyonated under the Comon Seale of the sayd Towne. Provided, and it is fully agreed by the sayd Assembly, that the sayd Mr. Honiwood burgess shall have his charge and

expenses allowed him upp to the P'liament and downe againe, besyde his fee of 4s. the day duringe the Sessyons of the Parliament."

Mr. Bodley is another instance of a stranger, or as it was usually expressed in those days, "a Foreigner," being elected as Member. There is no entry of his being presented with the freedom of the town. The number of electors present is not given, but the election is clearly by the Mayor, Jurats, and Commoners, and the Freemen had no voice in it.

The next election was in 1586, and the following is a copy of the entry in the Assembly Book.

"Memorandum—That the xxixth daye of September, 1586, Mr. Mayor, the Jurats, and Comons hereunder written beinge assembled there to make choise of newe Burgesses to the Pliament bye vtue [virtue] of newe Somons to us directed out of her Ma^{tie} Court of Chauncery to be holden the XVth of October next comynge at Westm^r vizt. (Mayor, 7 Jurats, 12 Comonty). At which Assembly it is ordered and decreed by generall consent of the moste pte. of the sayd Mayor, Juratts, and Comonty that Mr. John Smyth, of Westernhanger, Gent. is chosen and elected to be one of the Burgesses for the sayd towne to the Parliament, and he to serve it gratis, and there is chosen for the same William Dalmyngton, Jurat (together with the sayd Mr. Smyth), and the sayd Mr. Dalmington is to have for hys fee two shillings per daye duringe the sessyons of the Parliament and his charge up to London, nyne shillings, and downe from thence nyne shillings, and soe to stand during this prsent Parliament."

It will be seen that the Members were again elected in this instance by the Mayor, Jurats, and Commonalty alone, a select body of 20 being present. The Lord Warden's nominee disappears, and there is no record of his Lordship's interference. John Smyth was the son of Thomas Smith, Esq., to whom the manor and castle of Westenhanger was granted by Queen Elizabeth in the 29th year of her reign. Thomas Smith was known as "the Customer," from his farming the customs of the city of London, and died in 1591, when his son, Sir John Smythe, the member, succeeded to the estate, and was Sheriff of Kent in 42 Elizabeth, and died in 1609. His son, Sir Thomas Smythe, K.B., was created Viscount Strangford in 1628. The Smythes also possessed other large estates in this part of Kent, including the manors of Swingfield, Heane, and Otterpool. A Court of Record at Ashford was granted to Sir John Smythe by King James I. and he was buried in Ashford Church. Mr. Dalmington was a

Jurat, and undertook the duties for 2s. per day (one half the amount allowed to Mr. Honiwood, the former member) and 9s. to London and the same amount for his return journey, which can scarcely be considered an extravagant allowance.

The Election in 1588 is recorded as follows :—

“Memorandum, on the XXIXth daye of September, 1588, Mr. Mayor, the Jurats, and Comons beinge assembled in the Towne Hall there about the choice and ellection of Burgesse to the Pliamt., accordinge to the Sumons unto them directed, and there is chosen for to serve that Office Mr. Collens, Mayor, and Mr. John Smythe, Esquior ; and the Towne to allowe the said Mr. Collens bye the day iijs., and the said Mr. Symthe to serve it grates, and to be commysysonated under the Comon Seale as before hathe byn accustomed.”

The Lord Warden again does not interfere ; the only alteration is the substitution of the Mayor (Mr. Collens) for Mr. Dalmington, the pay being increased from 2s. to 3s. per day. The Electors are still the Mayor, Jurats and Commoners, but the members present are not recorded.

The minutes of the assemblies were not entered, or have been lost, between 1591 and 1609, so that there is no record in the Corporation Books of the Election of the members between those dates, but according to the Parliamentary Return the members were as follows :—

1592-3, Henry Fane and John Collens.

Henry Fane, of Tunbridge, was probably the nominee of the Lord Warden ; he was an extensive landowner in Kent, including amongst other manors, Crayford and Alban, or Auburne, and Black Pits, in East Peckham ; he was a Justice of the Peace for Kent, and served the Office of Sheriff. The town member was the same.

1597.—Christopher Honeywood and Christopher Toldervey.

Christopher Honeywood was a Jurat, Christopher Toldervey was the Lord of the Manor of Horton-upon-Stoure, near Canterbury, and a friend of the “Customer,” and a legatee under his will.

1601.—William Knighte and John Mynge.

William Knighte was the Mayor, and was the last member who appears to have received his “wages.”

John Mynge, a name unknown in Hythe, was probably the Lord Warden’s nominee.

1603-4.—Sir John Symthe, Knt. (see 1586), and Christopher Toldervey (see 1597).

1609 — Sir Norton Knatchbull, vice Sir John Symthe, deceased.

Sir Norton Knatchbull, of Mersham Hatch, near Ashford, was Sheriff of Kent, in 7 James I. He died in 1636, and his nephew was created a Baronet in 1641.

1613.—Sir Lionel Cranfield and Sir Richard Smythe.

Sir Lionel, as will be seen by the correspondence, was the nominee of the Duke of Northampton, Lord Warden.

Sir Richard Symthe was the fourth son of “the Customer” who devised to him the Manor of Newchurch, in Romney Marsh. Two assemblies were held before the return was finally made and sealed. The minutes and correspondence are as follows :—

“At the said Assembly (1st March, 1613) ye said Mr. Mayor shewed unto this House our Hno. Ld. Warden’s lres. for the ellection of a Burgesse to the next Pliam^t the tenor of w^{ch} lres is as follow in these woordes, viz. :—

“To my verie loveinge friende the Mayor, Jurats, and Cominalty of the Port of Hieth—

“Mr. Maior—his Mat^{tie}. haveinge sent forthe his Writte of Summons to call a Parliament, accordinge to the auncient usage and privilege that my selfe and my predecessors have ever had in the noiacon [nomination] of one of the Barons to be elected in the severall Ports to attend this Service, I must desire you and your Brethren to take notize of Sr Lyonell Cranfield, Knight, as y^e pson by me recomended unto yo^r Corporacon, whose qualitie both for worthe and sufficientie I knowe to be voyde of all exception. And for his particuler care of the publiqe weale of that Porte, and dischargde of duety in those services wherein you shall entrust him, I will engadge that reputacion. I prsume I holde amonge you that he shall performe it wth the industrie and faith that shal be to yo^r good content and likeinge.

“Northampton house, xxviii^o February, 1613.

“Yo^r verie assured loveinge freinde,

“F. NORTHAMPTON.”

“Lykewise at this Assembly y^e said Mr. Maior shewed unto this house certeyne lres. directed unto the Mayor, Jurats, and Comons of this Towne by the right Worth. Sr John Scott, Knight, and Sir Norton Knatchbull, Knight, concerninge Sir Norton’s desire to be excused to hould the place of Burgesse to the Parliament this next service (as he had done the Pliament last past), for some reasons alledged in the said lres., and Sr John Scott’s lre, comendinge Sir Richd,

Smyth to the said place, which was generally well liked by this Assembly, but for that the writ of Summons of the Parliamt is not yet sent hether, this House forbeares to pcede to any absolute election of Burgesses until the said Summons shalbe received."

The next Assembly was held 9th March, 1613, and the record runs as follows :

"At which tyme Mr. Maior prsented unto this Assembly the coppies of his Ma^{ties} writ of smmons to a Parliamt to be holden at Westm^r the vth daye of Aprill next, and of o^r Lord Warden's lre of attendance uppon the said writ for the election of Burgesses to the said Pliamt. The tenor of wch writ and lre of attandance followe in these words."

The writ and the letter, in Latin, are set out in full, and a side note to the writ states that "it was in the effect thereof read and declared the 9th of March, in the open market after other proclamacons," and the entry proceeds :—

"After which writ and precept (precept) reade and understoode, and the lres. before at the last Assembly shewed considered, the foresaid Mayor, Jurats, and Comons pceeded to election of Burgesses to the said Parliamt, and dyd then choose for their Burgesses Sir Richard Smyth, Knight, and Sir Lyonell Cranfield, Knight, whome oure Honble. Lo. Warden recomended to this Township. And thereupon y^e said Sir Richard and Sir Lyonell are elected and allowed free Combarons of this Towne and Port.

"And after it was resolved by this Assembly that lres. should be sent from this Assembly as well unto or Right Honble. Lo. Warden, as also unto Sir Richard Smyth, the tenor of which lres. follow in these words.

"To the Right Honorable Henry Earle of Northtn, Lo. Warden of the Cinque Ports.

"Right Ho^{ble}. our humble dueties unto your good Lordship remembered. Whereas of late we received y^{or}. hon^{ble}. lres., whereby y^{or}. Lo^p recomendeth unto us Sir Lyonell Cranfield, Knight, for one of the Barons to be elected Burgesses for this Port, to the next Parliament, accordinge to yo^r. Lopp's pleasure therein, wee at an Assembly heere holden this pnte daye have elected ye said Sr Lyonell Cranfield, one of our Burgesses to the said Parliamt, of wch we thinke it o^r duties to certifie y^{or}. good Lordship: And for that by the customes and orders of the Cinque Ports, y^e said Sir Lyonell, is to be admitted a free Baron of this Port, and is to take a corporate Oath for the same, before we ought to make retorne of his election to the said place: May it therefore please y^{or}. good Lo^p. that he may come to take y^e said Oath here amongst us, the rather because

wee desire to be acquainted with him, and alsoe would request him in sumthinge for the pticular good of this Towne. Thus leaveinge it to yo^r. Lordship consideracon, wth contynuall prayers to God for your good Lo^p. in helth, wth increase of life long to contynewe: we take o^r leave and remayne,

“Yo^r. Lo^{ps}. most bounden the

“Maior, Jurats and Comons of Hethe.

“Hethe,

“ix March, 1613.”

“To the right Wor^{ll}. Sir Richard Smyth, Knight, these be.

“Right Wor^{ll}. after o^r. due salutacons unto you remembred. Whereas of late wee received lres. from o^r. Wor^{ll}. good ffrend Sir John Scott, Kt., signifyinge unto us yo^r good affections to srve the comon wealth in genrall and yo^r love to this Corporacon in perticular, wth desire that wee would make choyse of you for one of o^r Burgesses to the next Pliament, Wee at an Assembly here houlden this p^rsent daye (callinge to mynde the contynuall love and affection of yo^r good father and Brother towarde this Towne, and not doubtinge the like to contynue in you, have elected you, together with Sir Lyonell Cranfield, Knight (whome o^r Right Ho^{ble}. Lo. Warden hath recomended unto us in this behalfe), for o^r Burgesses to the said Parliam^t whereof wee have thought good to certefie you, desireinge you to accept of the said place. And for that you are first to be admitted a free Baron of this Towne and Port and to take an Oath for the same before we ought to make retorne of your election to the said place. Therefore wee further desire you to take the paynes to come hether to take the said oathe soe soon as may be. Thus desireinge yo^r Answer hereunto, wee leave you to God’s ptection, and rest

“Yo^r assured loveinge ffrende the Maior,

“Hethe,

“Jurats, and Comons of Hethe.

“ixth March, 1613.”

The members do not appear particularly anxious to make the acquaintance of their constituents, and the difficulty as to the admission to the freedom and administering Oath appears to have delayed the return of the Writ, for it is not until a Meeting of the Assembly on 25th March, 1614, that the return of the Writ is entered and the following Order made:—

“At this assembly it is agreed that if before the first daye of April next there come noe message from our Burgesses, that they intend to come hether to take their Oathes, then Mr. Grove, nowe Mayor, shall take forth a Commission

under the Comon Seale of this Towne and travell to London to give them theire Othes. The said Commission was accordingly taken oute, and at the Assembly next ensuinge the said Mr. Mayor returned the said Commission executed, which remayneth in the Chest in the Towne Hall."

The Election of 1620, Lord Zouch, the Lord Warden, claims the appointment of one of the Members, and nominates Dr. Zouch, a relative, but not content with this, His Lordship sends a letter of recommendation for the second Member, Sir Henry Hayman, and both are elected. The Electors are still the Mayor, Jurats, and Comonalty.

"Memorandum an assembly there houlden Fridaye, the 29th day of Dec^r 1620, in the yeare of the raigne of Our Sovereign Lord Ja^s by the Grace of God, &c., &c., the Maior, Jurats, and Comons, for the most part then in the Common Hall, assembled.

"Also at this tyme, Mr. Thomas Hutson, Maior, prsented to this Assembly, the coppies of His Ma^{ties} Writ of Sumons to a Parliam^t to be holden at Westm^r the xvth daye of January next ensuinge, and of o^r. Ho^{ble}. L^d. Warden's lres. of attendance uppon the said Writ, for the election of Burgesses to the said Parliament for this Town and Port, which coppies beinge redde and understood, and also too severall lres. from o^r. said Lord Warden, likewise redde, weh are altogetther sewed into this Book, and made part thereof.

"The said Maior, Jurats, and Comonaltie elected for theire Burgesses to the said Parliam^t Sir Peter Hayman, Knight, and Mr. Rich^d. Zouche, Doctor of the Lawes (whome o^r. Hon^{ble}. Lo. Warden, recomended unto us) they both beinge first elected freemen of this Towne whereupon afterwards the said Sir Peter, beinge in the Town, was sent for and came here and received the Oath of a freeman, and very thankfully accepted the said place of Burgesse: And further it is agreed that a Commission be directed from this Township to such persons as the said M^r. Maior and the Jurats shall think fyt to minister unto the said M^r. Dr. Zouche, the Oathe of a ffreeman at London, as the Lord Wardens lres. require (yf the said Maior and Juratts shalbe advised that the said Commission may safely be granted and sent forth)."

The letters from the Lord Warden still remain "sewed" into the Book in nearly as good a state as they were when received upwards of 250 years ago, and are as follow:—

Letter from Lord Zouche, 18th December, 1621.

"Whereas you have evr used on the comendacon of the Lord Warden to

elect one of the Burgesses you have to choose for the Parliam it hath bene my care to finde out such a sufficient gentⁿ as I thought would be forward not only to advaunce the good of the Portes in generall, but redde to doe and stand for the good of y^r Towne in pticular. His name is Mr. Richard Zouche, Doctor of Lawe, who is my kinsman, and one whome I will boldly comend unto you for a very sufficient, religious, worthy gent, fitt for the place, and such a one as I doubt not but you will hereafter give me thanks for.

“ I think it needlesse for him to be sworne a freeman of y^r Towne, and hope you will not be more strict to chose that I comend to you than you have been to others in the tyme of my Predecessors, but if you will have him take that Oathe, I pray you send hither a Commission (as other Townes that will have it soe doe) to some such gent there as you shall think fyt to minister him that Oath, that he may not have the trouble to goe to your Towne to receive it. If you desire to have anything menconed for the pticular good of y^r Towne uppon which thereof by your letters, I will take Order that shalbe faithfully and carefully psented. I doubt not of your love and respect to me in this busines, and therefore will not use more words to induce your good liking of this gent, but rest confident of your acceptance of him for to be one of the Burgesses of your Towne for this Parliament, which I shall take the more lovingly from you for the reference that he hath to me, whome you shall finde ever redde to pforme for you any good that may be effected by

“ Yo^r assured loving friend,

“ Clerkenwell,

“ E. ZOUCHE.

“ 18 December, 1620.

“ to Hithe.”

“ (Addressed on the back)

“ To The Mayor, Jurats, and

“ Comynalty of the Towne and Porte

“ of Hithe, my very good friends, these.”

Letter from Lord Zouche, 28th November, 1620.

“ Sir Peter Hayman, a very sufficient noble gent (being yo^r neighbour), is desirous to be one of the Burgesses of yo^r Town this Parliament, and hath requested my lre. to testifie to you my respect and esteeme of him, and how worthy I think him of that place if you are not already provided.

“ If I were not engaged by promise for as many places as I have to supply with Burgesses in the Portes, I would not seeke for or desire a more able or worthy

gent, and if you shall for my sake elect him for the Burgesse of whom yourselves have the sole nomination (reserving to me the place of another for such as I shall appoint), it shalbe no p'judice to your priviledge in future tymes, but a curtesie, which I shall ever acknowledge to proceed from yo^r p'ticler love and affeccion to me, whome you shall finde att all times mindfull of it in anything that rests in the power of

“ Yo^r assured loving friend,

“ Clerkenwell,

“ E. ZOUCHE.

“ 28th Nob^{ris} 1620.

“ To y^e Mayor, Juratts, and

“ Co'ialty of Hithe.”

Sir Peter Hayman, Knt., was the owner of Somerfield, Sellinge, near Hythe, and other properties in the neighbourhood.

In 1623 Dr. Zouche and Sir Peter Hayman are again elected by the Mayor, Jurats, and Commonalty, but an important innovation appears, for after the Election the Freemen are called in and the Writ read; beyond this they do not appear to have taken any part, for their departure immediately afterwards is recorded, and the Corporation proceed to other business. This is the first instance of the Freemen being in any way connected with an Election, and, as will be seen hereafter, it was the thin edge of the wedge to their obtaining the full electoral power which was declared to belong to them by the decision of the Committee of Privileges of the House of Commons in 1710.

“Memorandum—An Assembly there houlden the xviith daye of January, 1623, &c., &c., by the Maior, Jurats, and Comons for the most part then in the Comon Hall of Hethe assembled as followeth :—

“ At this Assembly, Mr. David Gorham, Maior, p^rsented unto this House the coppies of His Ma^{ties} Writ of Sumons to a Parliam^t to be holden the xiith day of February next at Westm^r, and of o^r Ho. Lord Wardens l^re of attendance uppon the said Writ for the Election of Burgesses to the same Parliament for this Towne and Port; which coppies being read and understoode, and also one l^re sent by o^r said Ho. Lord Warden in comendac'on of Mr. Richard Zouche, D'cor of the Lawes, for one of our Burgesses: The said Maior, Juratts, and Comons (as at the last Sumons of Parliament see now also) elected for their Burgesses to the said next Parliament S^r Peter Heyman, Knight, and the said Mr. D'cor Zouche.’

Thirteen days after the Election another Assembly is held, at which the Freemen are again called in and informed of the result, but beyond this they

appear to have taken no part in the Election. The minute is as follows:—

“Memorandum—An Assembly there houlden the xxxth daye of January, 1623, by the Maior, Jurats, and Comons, for the most parte there in the Comon Hall assembled as followeth:—

“To this Assembly the Freemen weare called, whoe for the most part appeared. And then to the same whole Assembly the l're of the Kings Ma^{tie} that now is was reade and related unto them in Englishe in the principal part thereof.

“And after that, the Freemen beinge departed, the Accomptes of the Chamberlayne of this year weare read,” &c., &c.

The Election on 6th February, 1625, shews a further advance by the Freemen; for the first time they form part of the Assembly to elect Members to Parliament. The celebrated Duke of Buckingham had succeeded Lord Zouche as Lord Warden, and at the Assembly only the Writ and letter of attendance from his Lordship are produced, and there being no recommendation or command from the Lord Warden as to the members to be selected, Sir Peter Hayman, one of the Barons in the last Parliament, and Sir Basil Dixwell, the owner of the adjoining Manor of Folkestone, were duly elected. But four days afterwards another Assembly is called, this time attended by the Mayor, Jurats, and Commonalty only, when a letter was read from the Lord Warden, commending the Right Hon^{ble} Sir Richard Weston, Knight, Chancellor of Her Majesty's Exchequer. The Assembly resolved to stand by the former Election, and an obsequious letter is directed to be sent to the Lord Warden in explanation. The minutes and letters are as follows:—

“Memorandum—An Assembly there houlden the Eight daye of January, 1625, and in the yeare of the raigne of Our Sovaraigne Lord Charles, by the grace of God, &c., by the Maior, Jurates, Comnes, and Freemen, for the most part then in the Comon Hall of Hethe assembled, as followeth, viz:—

“At this Assembly Mr. Thomas Browninge, Maior, presented unto this Assembly the coppies of his Mat^{ies} Writ of Sumons to a Parliament to be holden the 6th day of February next, at Westm^r, and of O^r most Ho. the Duke of Buckingham, O^r Lord Warden, his grace's letter of attendance uppon the same Writ for the election of o^r Barons to the same Parliam^t for this 'Towne and Port; w^{ch} coppies being read and understood, The said Mayor, Jurates, Co'ners and Freemen elected for their Barons to the said Parliament, S^r Peter Hayman, Knight, and Basil Dixwell, Esquire; and then Crisostom Grant, the Townesman, was p^rsently sent to the said Mr. Dixwell to give him knowledg thereof, and to

knowe if he would accept thereof, whoe retorned p^sent answere by the said Townesman that he kindly accepted thereof, and that hee will come hether to take his Oath the Thursday followinge.”

“Memorandum—An Assembly there houlden on Thursdays the Twelfth day of January, in the yeare above said (1625), by the Maior, Jurates, and Coⁿers, for the most part then in the Comon Hall assembled, as followeth, viz :—

“At this Assembly the said Mr. Mayor shewed and caused to be reade unto this house a l^re from the most honorable the Duke of Buckingham his grace, o^r Lord Warden, directed unto the Mayor, Jurates, and Coⁿaltie of this Towne, in the comendacions and behalfe of ye Right Ho. Sir Richard Weston, Knight, Chancellor of his Ma^{ties} Exchequer, for one of our Barons or Burgesses to the foresaid Parliam^t; w^{ch} l^re being fully understood and considered of, this House resolved to stand to their former Election of the said Sir Peter Heyman and Mr. Dixwell, and to have them returned their Barons to the said P^lliament; that l^res shall be addressed to the Duke’s Grace, to certifie him that the said Barons to the Parliament were elected before the receipt of his grace’s said l^re to such effect as hereafter is set downe. And then Mr. Mayor and the Jurates went down to the White Hart, and came back againe hether wth the said Sir Peter Hayman and Mr. Dixwell, whoe hathe in very kynd mann^r accepted of their places of Barons to the said Parliam^t, and the said Mr. Dixwell tooke the oth usually taken by other Barons to the Parliam^t for the mayntenance of the Ch^res, &c. (exceptinge only his private interest and title at Folkestone); and hee then gave lib^{tie} to all the inhabitants of this towne at altymes heereafter to cary and recarry, goe and returne over his land called the Slip at the East end of the Towne, now in the occupation of Mrs. Scott, when they should have occasion, wthoute payinge anythinge for the same. And Sir Peter Heyman tooke noe othe now, in respect he was sworne when he was fyrst chosen Baron to the Parliam^t for this Towne.”

The right of way thus granted is the present Twiss Road.

The letter from the Duke of Buckingham above referred to is as follows:—

“After my harty Comendac^ons. As I shalbe very reddey to p^serve and increase y^e p^riviledges of the Cinque Portes, soe am I unwilling to let passe the remembrance of those respects my predecessors have ever received from yo^u, w^{ch} makes me att this tyme to recomend unto you to serve in y^e first place as Burgesse for your Towne in this next Parliament, S^r Richard Weston, Knt., Chancellor of the Exchequer, whose worth hath purchased him the place he holdeth under his Mat^{ie}; his office enables him with power on all occasions to

effect y^e good of y^r Towne. By y^r free and cheerfull embrac^{mt} of my desire herein I shall be able to judge of y^e measure of yo^r Love and esteeme of me, and accordingly be reddey to requyte it when occasion shalbe offered. And so I rest

“Yo^r very lovinge frende,

“G. BUCKINGHAM.

“Whitchall, 10th Jan’y, 1625.”

The reply from the Mayor, &c., is as follows :—

“To the most ho. y^e Duke of Buckingham his grace, Lord High Admirall of England and Lord Warden of the Cinque Portes.

“Most Honorable, o^r humble duties unto y^r grace remembered.

“Whereas the seaventh day of this instant January, wee received his Ma^{ties} Writ of sumons for the election of two Barons for this Towne to the next Parliam^t, and your grace’s letter of attendance thereunto annexed under the seale of y^r Office of Dover Castle for the speedie execut^{on} of the said writ, wee accordinge to the teno^r of the said writ and l^re of attendance dyd wthout delay elect oure Combarons, S^r Peter Heyman, Knight, and Basil Dixwell, Esquire, o^r Barons for this Towne, to appeare at the said Parliam^t, and they haveinge accepted thereof and beinge setled therein, wee y^e the xith daye of this instant moneth received y^r graces letters, dated the 10th, recomendinge unto us to serve for one of o^r Barons at the said Parliam^t S^r Richard Weston, Kt., Chancellor of the Exchequer, an honorable and worthie p^{son}, whome wee in due respect to your grace would willingly have accepted of, had wee not before settled both the said places uppon the persons before named (o^r worthie and kynd neighbours), whereof wee hould yt o^r duties to certifie yo^r grace, that the said S^r Richard Weston may be p^{vided} of some other place. Thus biseechynge yo^r grace to hould us excused in that wee are not at this p^{sent} able to accomplish yo^r graces desire to us signified by yo^r said l^re, with hartie prayers to God for yo^r grace in all happines longe to contynewe, we in all humble mannere take our leave and remayne

“Yo^r graces most bounden, the Maior,

Jurates, and Comi^{altie} of Hethe.

“Hethe, 13th January, 1625.”

The Election to the first Parliament of King Charles I., in 1625, also opens with letters from the Duke of Buckingham, Lord Warden, and from Sir Norton Knatchbull, Kt., of Mersham Hatch, Kent, the Duke nominating Edward

Clarke, and Sir Norton recommending Sir Edward Dering, Kt. The nomination and the recommendation were accepted, and the Election of the two gentlemen by the Mayor, Jurats, and Commonalty follows, the Freemen not being present. An unexpected difficulty, however, occurs, for a few days after the Election another letter is received from the Duke, asking for the appointment of Mr. Allen Appsey, Lieutenant of the Tower of London, as the second member. It is evident from the proceedings which follow that the Corporation were in some trepidation at being unable to comply with the request of His Grace. Another meeting was summoned, but instead of being confined to the Mayor, Jurats, and Commonalty, the Freemen formed part, and the facts were laid before them, when the former decision was confirmed, and a humble letter of excuse sent to Mr. Allen Appsey. The minutes and letters are as follows :—

“ Hythe. Memorandum—An Assembly there houlden the fourteenth day of Aprill, 1625, &c., by the Maior, Jurats, and Com'ers for the most part there assembled.

“ At this Assembly Mr. Thomas Browninge, Maior, p^rsented unto this house the coppies of his Mat^{ies} Writ of Sumons to a Parliam^t to be holden at Westm^r the xviith daye of Maye next, and of o^r Right noble Lord Warden the Duke of Buckingham his grace his l^re of attendance uppon the same Writ for the election of Burgesses to the said Parliam^t for this Towne and Port, and also two l^res, one from his grace in comendac^{'on} of Edwarde Clark, Esquire, one of the Bedchamber to the late King, for one of o^r Burgesses, and the other from o^r worthie ffreind Sir Norton Knatchbull, Knight, in comendac^{'on} of S^r Edwarde Dering, Knight, for one of o^r Burgesses alsoe ; which coppies and l^res beinge read and understoode, and one other l^re, and some comendac^{'ons} of some other Knight and gents to some of this house, declaringe their affections to this Towne for the said places of Burgesses : The said Maior, Jurates, and Comons, wth one consent dyd at the p^rsent accept of the said Mr. Clarke for one of their Burgesses, and dyd then with like consent agree that the said Sir Edward Dering have the other place of Burgesse, yf hee wilbe pleased to come hither and make himself Free, and see accept thereof wthoute any fee. And of this they wished Mr. Lambe the next daye (as occasion was for him to goe to Ashford for this Townes moneyes for their Billets) to make the said Sir Norton acquainted, that hee might give the said Sir Edward Deringe knowledge thereof ; all w^{ch} was accordingly done. And then the said Sir Norton sent one other letter to Mr. Maior signifyinge that the said Sir Edward intended to come hither on Thursday next aboute one after-

noone for the p^rpose aforesaid, if it might suit with o^r other occasions. To which the said Maior and Jurats answered that this Towne would then attend the said business, or to such effect."

The letter from the Duke of Buckingham :

"After my hartie comendac'ons. Understanding y^t amongst other respects w^{ch} my p^rdecessors Lo. Wardens of the Cinque Portes have used to receive from your Towns, you have used to make election of such a sufficient man as they have recommended to you to serve in Parliament for one of the Burgesses of Y^r Towne, I have thought good to recommend to you for the first place Edward Clark, Esq^{re}, one of the Bed Chamber of the late Kinge, whose worth and abillities are such as that I am confident you will have good cause to believe that I have been carefull of yo^r good in recommending him to you. If you would have him sworne a Freeman of yo^r towne, I pray send hither a comission to that purpose, and wherein there shalbe any occasion I will be noe less ready to advance the p^ticul^r good of yo^r town than forward to doe what good I shalbe able for the p^rservacon of the jurisdicc'on and previdedges of the Cinque Ports. And soe I bid you hartily farewell. From Whitehall this 11th Aprill, 1625.

"Y^r very loving friend,

"G. BUCKINGHAM."

The letter from Sir Norton Knatchbull :

"Sir. Upon the accession of the crown to our Sovereign Lord King Charles, it is certainly reported that a summons for a new Parliam^t will very suddenly come forth; soe as new Burgesses must be elected in all places, Sir Peter Hayman (to whom both y^{or} Corporac'on and this whole cuntry is much beholdinge) being out of y^e land in other imploynte, I fear you will be forced to make a newe eleccion of another in his place, otherwise I knowe you cannot be happier in any; but if it should happen, I would entreate you to take my moc'on into yo^r consideracon for S^r Edward Deeringe, who much desires to render his service to you. He is a gent, in my opinion wthout excepcion religious, learned, stoute, and in evrie way worthie of such a place of trust; he hath many noble friends that will take it kindly, and wthout question my L. Warden will very well approve of it, he having lately matched in his familie. Let me intreate you to be confident I would not move you in anything but that I thought were for y^r honor and benefit of yo^r town, and if it please you to impart this to your brethren, and to afford me yo^r answere as speedily as wth conveniency you may, it will adde

much to y^e former favors I have receyved from you all, for all w^{ch} no service shall be omitted to any of you that resteth in the power of

Y^{re} assured lovinge friend,

“NORTON KNATCHBULL.

“Mersha’ Hatch,

“Y^e 3rd of Aprill, 1625.”

Mr. Allen Appsley’s letter :

“After my very hartie well wishinge unto you all. Yt hath pleased the Duke of Buckingham his Grace, the Lord Warden of the Cinque Ports, to write to you on my behalfe for a Burdges place in that Town, w^{ch} I did the rather desire, because it is a place under his chardge, and therefore p^rsume his commendations might p^rvayle with you. For beinge soe mutch bound to his grace as I am, in this kind I was unwillinge to bee beholdinge, but by his meanes. And in respect I am a meere straindger unto you all, and thus deserve nothinge from you, yf yt please you to favore mee in this my desire, your curtiesie is the greater, and ingageth mee soe mutch the more to indevor by all the good means I can to doe something that may be advantigable and profitable for that Town in generall, and to every of you in p^rticular upon any your occations wherein you will require mee, which shall remayne reddie and faithfull.

“Your assured thankfull frēde,

“ALLEN APPSLEY.

“From the

“Tower of London,

“The xvith April, 1625.”

The Duke of Buckingham’s letter recommending Mr. Appsley :

“After my commendacions. I wrought to you lately on the behalfe of Mr. Edward Clarke, that you would on my comendac’ons electe him to serve you in the first place as Burgesse for yo^r Town in this Parliament; and being now requested by Mr. Allen Appsley, Lieutenant of the Tower (a very worthy gentleman, who is well able to doe many good Offices for you), to recommend him likewise to you, I thought good by this to desire you to make choyse of him to serve in the second place as Burgesse for yo^r Town in this Parliament, assuring you that, if you shall now thus doubly gratifie me at my entrance into my Office, [it] shall not only be no p^rjudice to yo^r priviledge and freedome in this kind for the future, but that I will laye it upp as an assured testimony of yo^r love and

respect to mee, and be redde to requite it on all occasions. And soe I rest,
 “Yo^r very loveing ffriend,

“G. BUCKINGHAM

“From Court att

“Whitehall

“15th Aprilis, 1625.”

On the receipt of these communications, the Mayor, Jurats, Commons, and Freemen again met, and their proceedings are thus recorded :—

“Hethe. Memorandum.—An Assembly there houlden on Easter Monday, xviiiith daye of Aprill, aboute seaven of the Clock after noon, in the first yeare of the Raigne of o^r Sovereigne Lord King Charles, by the Grace of God, &c., by the Mayor, Jurats, Commoners, and Freemen, for the most part then in the Town Hall assembled, as followeth, viz :—

“At this Assembly alsoe, Mr. Maior caused the foresaid Writ of Summons to Parliam^t, l^re of attendance, and l^re from Our Noble Lord Warden the Duke of Buckingham his Grace in the commendac^ons of the said Mr. Edward Clarke, Esquire, [and] of Sir Allen Appsley, Knight, Lieut. of the Tower of London, for the Burgesses, and the said l^re of Sir Norton Knatchbull concerning Sir Edward Deringe, and also the l^re of the said Sir Allen Appsley, signifying his desire to accept of one of o^r places of Burgesses, to be openly and deliberately read, and then he acquainted the whole Assembly of the foresaid proceedings concerning the said Sir Edward Dering and Mr. Clarke ; w^{ch} being well understoode and duly considered, the said Maior, Juratts, Comons, and Freemen, being all particularly called by their names, dyd freely elect, chose, and confirme the said Sir Ed^{wa}d Deringe and Edward Clarke, Esq^{re} their Burgesses to the said next P^lliament.

“And after, the Mayor, Jurates, and Comons dyd agree that an answere should be sent to the said Sir Allen Appsley in the words following:

“Right Wors^h.”

“Before the receite of yo^r l^res wee had received His Ma^{ties} Writt of Sumons for the Election of o^r Burgesses to the next P^liam^t and the l^re of attendance thereupon from o^r right Noble Lord Warden the Duke of Buckingham his grace. Whereuppon wee on Thursday last dyd assemble o^rselves together, and did then soe settle o^rselves upon the election of Edward Clarke, Esq^r (whome his grace had comended unto us), and a worthye Knight, o^r neighbour, whome alsoe, before the receipte of y^r said l^res, wee had made acquainted therewth, that wth

creadit wee could not altere the same; yett uppon the receipte of the last l'res from the said Noble Duke his grace (in yo^r behalfe) and from yo^r Wors^p (the said Write remayninge unreturned), wee willing to give His Grace and you such satisfaction as might become us, wee caused the Corporacion of this Towne to Assemble anewe and made them acquainted wth all the said l'res, and they have alsoe the second tyme elected, or at the least confirmed, the said p'sons before menc'oned for theire Burgesses to the next P'liam^t; whereof wee thought good to certifie you heereby, assuringe you that if yo^r l'res had come in time, wee would have bene readye to have satisfied yo^r resonable request soe far forth as wee could. And soe wth hartie thanks for y^r kind offers in this behalfe, wee humbly take our leave, and remayne allwayes

“Yo^r Wor^{sp}s Loveinge Friendes,

“the Mayor, Jurates, and Comons of Hethe.

“Hethe, under the Seale of the Maioraltie theire, the 18 April, 1625.”

Sir Edward Dering, who was so strongly recommended by Sir Norton Knatchbull, was the owner of Surrenden, near Ashford; he sat for Hythe only in this Parliament. He was one of the lieutenants of Dover Castle. In 1640, he was returned for Kent, and his subsequent career is excellently told by Mr. Furley in his *History of the Weald of Kent*, vol. 2, part 2, p. 531, as follows:—

“Sir Edward Dering commenced his parliamentary career [for the county of Kent] as a vehement Church reformer. On the 1st December, 1640, the inhabitants of the Weald forwarded through Mr. Richard Robson, of Cranbrook, a petition against Episcopacy, and in an unguarded moment and at the instigation of others, the Baronet introduced “a Bill for the abolition of Archbishops, Bishops, Deans, and Chapters, with all their Officers,” which made him very popular with the Puritans, but he soon became alarmed at the proceedings of his associates, and all his popularity was at an end, for to waver, especially in those days, was to be lost. By way of justification he then published a collection of his speeches in Parliament, with a running commentary, but this the House voted to be against its honor and privilege, and ordered the book to be burnt by the common hangman. He was also declared disqualified for that Parliament, and the Speaker was ordered to issue his writ for a new election for Kent. All this passed without opposition, and Captain Augustus Skinner was returned in his stead. It was next moved that he should be sent to the Tower, which was carried by eighty-five to sixty-one. He remained in custody a week, when he was discharged on his own petition. He retired to Surrenden Dering, and in the following

month he succeeded in inducing the grand jury of Kent to agree to an anti-Hampden and Pym petition to the Commons. He was summoned before the House, and appeared, but subsequently fled. With a view to his arrest, the House issued an order to close the ports, and shortly afterwards carried up to the House of Lords an impeachment against him for endeavouring to set the County of Kent against the Parliament. He then openly joined the King, raised a troop of horse at his own expense, and was present at the setting up of the Royal Standard at Nottingham, in August, 1642. His estates were now sequestered, Surrenden was four times plundered by the Parliamentary soldiers, and his woods felled. The Parliament, on 30th January, 1644, issued an ordinance permitting persons who had been in arms against them to return to their homes upon taking the Covenant and paying a composition for the restoration of their estates, and Sir Edward, who seems to have been a feeble minded man, was the first to avail himself of it. He was not permitted to return to Surrenden until his composition was settled, so he had to take refuge in one of his dilapidated farmhouses. A local committee returned the value of his estates at £800 per annum, and £1000 was assessed as the composition required, which Parliament confirmed on 27th July, 1644, but before that day Sir Edward had passed beyond the jurisdiction of sequestrators, for he had found a quiet resting place in the church at Pluckley. Parliament relinquished the claim for the composition money, and the young heir was admitted to the estates without any payment."

Tradition says that to elude the vigilance of an officer of the Parliament, Sir Edward donned a surplice and read prayers in a neighbouring church before a congregation of his friends and neighbours.

It is said on the authority of Nalson (vol. 2, p. 249), that on the death about this time of Dr. Isaac Bargrave, Dean of Canterbury, Sir Edward applied to King Charles for the vacant Deanery (one of the very dignities which he had endeavoured to abolish), but he did not obtain it.

19th March, 1639.—At this Election there were present the Mayor (William Deedes), five Jurats, 14 Commoners, including the Common Clerk, — Rainold, 15 Freemen. The Mayor presented the Writ for the Parliament to be held on 13th April next, and the Letter of Attendance from the Lord Warden. John Wandesford and Henry Heyman were elected, and took the oaths of Freemen and Barons of the town for the said Parliament according to the custom of the said town and port; who were to be returned more solito.

Henry Heyman, of Somerfield, Sellinge, was created a baronet in 1641. He

was a staunch Parliamentarian in 1648, and gave information to Parliament of the proceedings connected with the Kentish Petition, when the Grand Jury for the County (after having ignored a Bill against the rioters of Canterbury, who insisted on observing Christmas Day, notwithstanding the Ordinance of Parliament against Fasts and Festivals), signed a petition praying for the restoration of the King and the disbandment of the army. He was lieutenant of Dover Castle during the Commonwealth.

This was known as the "short" Parliament, having only sat three weeks, but long enough to make the well known Constitutional Declaration that "Grievances precede supplies."

The members appear (from several letters from Sir Henry Heyman amongst the Town Records) to have kept their constituents alive to the excited proceedings which were being enacted in the House at this period.

Sir Henry enclosed "an order from both Houses for a fast, a paper of "advice from the Scots to the Lords and Commons, and the King's answer and "proposition concerning our members which stand accused of treason" [Pym, Hampden, Holles, Haselrig, and Strode.] "I hear," he writes, "there hath been "much rejoicing by some in Dover upon the hearing of their accusation, and "search very strict was made for to find them, supposing they had run away. "I am sorry for it, and hope your town is better affected to the common good; "and because we cannot as yet find out the advisors of this high breach of "privileges, the House hath accused Mr. Attorney General for exhibiting "Articles against them, who denies that he advised or contrived them, but was "only instrumental. Whereupon it is voted in our House that if no legal "accusation come in between this and Thursday, that they shall be cleared by "an Act of the House. Here hath been all this Christmas great feares at "designes upon the Parliament, in so much that we were forced for some days "to adjourn into London as a Committee. The malignant party that contrived "these mischiefs endeavoured (but in vain) to have raised forces, as you may "perceive, by order of Digby and Lunsford."

Parts of the letter in continuation of the above have unfortunately been destroyed, but he refers to the entrenchment of 2,000 men, and to the defeat of one party, whether the King's or Parliament's is not clear; and continues: "twelve "bishops this day came to their answer and pleaded not guilty, and have day "for a further answer till Tuesday comes seae-night (se'nnight)."

"We heare there is preparac'one in France both of men and ships for

“England; pray if you heare so let me know it, and provide yourselves for
 “defence. There is an ordinance coming forth to get the whole Kingdom in a
 “capacity for defending itself in these dangerous times, which I will send you as
 “soon as it comes out. Captain Epsly would do well to lock to his Castle
 “[Sandgate], and to endeavour to get it into better posture for service than I
 “doubt it is.

“The Houses of Parliament are guarded constantly by 600 of the trained
 “bands of London and Middlesex, and ten horse appointed as scouts to give
 “intelligence upon occasion of attempt upon them, and this day we adjourned
 “into London till Thursday, not as an house but as a Committee; the Lords
 “have done the like. And thus, desiring you to communicate this to your
 “brethren and my loving friends, to whom I am servant,

“I remain,

“Your Assured Friend,

“HENRY HEYMAN.”

“Blackfryers, 17th Jan.

“I sent you our remonstrance and the King’s answer.”

20th October, 1640.—At this election there were present the Mayor (William Deedes), five Jurats, 13 Commoners, including the Common Clerk, 13 Freemen. Sir Henry Heyman (vide 1639), and John Harvey, Esq., were elected.

This was known as the “long” Parliament. It continued to sit until April, 1653, when it was expelled by Cromwell, the King having been beheaded on 30th January, 1649.

John Harvey died in 1645, and was succeeded by Thomas Westrow. The Committee of Safety, sitting at Aylesford, sent the following letter of advice as to this election: “Gentlemen,—Wee suppose you are by this time informed of the late vote in the House for new elections in vacant places, wherein we need not say how yourselves are concerned, nor shall any whit entrench upon your rights by any personall recommendatories whatsoever, only as being somewhat advantaged by our present relations and employments for a further insight into the steerage of affairs than you yourselves were, could not but in faithfullness to you and the country for w^{ch} wee are intrusted to put you in minde of the high importance of the well placing of your votes, and upon w^{ch} under God depend your own and the kingdom’s happines or ruine. Both w^{ch} are at this very instant upon the turning pointe, and for aught you know yourselves may be the men, nay, any of you the man, who with a breath crying (I) or (Noe) may so

turn the scale as may rayse or for ever sinke a tottering kingdom. Be wise for God, for a bleeding nation, for yourselves and your posterity ; lett nothing sway you but truly pious and publique ayme. And as you look to have comfort by your choice, remember the characters of such as are to be intrusted with your lives, laws, liberties, and religion. Look out therefore such as are men of courage, fearing God and having consciences, and you cannot erre ; further wee shall not add, but that wee earnestly desirous of your owne and the country's good by your advancement. Whereof you can only oblige.

“ Your very loving friends,

“ The Committee, Aylesford.

“ Signed in the name and by the Command of Committee,

“ W. LYDALL.

“ 25th August, 1645.

“ To our very loving Friends the Mayor, Jurats, and Freemen of the Town and Port of Hith.”

The next Parliament was nominated by Cromwell on 4th July, 1653, and resigned on 12th December, 1653. There are no returns from the Cinque Ports ; probably no members were nominated.

On 3rd September, 1654, several Knights from each County were summoned, but not many Burgesses. There are returns from Dover, Rye, and Sandwich only. Hythe was not favoured. This Parliament only continued to 22nd January, 1654-5, and a new one was summoned on 16th September, 1656, when there is a return from Dover only. This was dissolved on 4th February, 1657-8, and was followed by one summoned by Richard Cromwell, on 27th January, 1658-9. At an Assembly held on the — day of January, 1658, “ Mr. Laurence Weller, Mr. John Gray, and Mr. Peter Philpot claimed their “ privilege to sett and vote for the election of Burgesses for the Parliament, “ and there being no just matter of accusation alleged against them, they were “ permitted to sett in the Assembly as formerly.”

These Freemen were probably Royalists who had been displaced during the Commonwealth, and now the death of Cromwell encouraged them again to assert their rights.

The election is thus described.

“ The said Assembly, after reading several letters from the Mayor, “ General Kelsey, Sir Robert Hales, Col. Kenricke, and Mr. Naylor, proceeded “ to the election of Barons to serve in the Parliament ensueinge, accordinge to the

“mandate of His Highness the Lord Protector (Richard Cromwell), and the
 “Writt from the Lord Warden of Dover Castle, and did elect and choose for
 “Barons for the next ensuing Parliament, to be holden on the 27th day
 “of January instant, Sir Robert Hales, Knight and Baronet, and Col. William
 “Kenricke, Esq., who took their respective Oaths of Burgesses and Barons for
 “the Parliament for the said towne before this Assembly.”

Sir Robert Hales resided at Bekesbourne, and was not created a baronet until 1660, although so described in the minutes of 1658.

The Parliamentary Return states—

“On 7th May, 1659, the officers of the Army invited members of Long
 “Parliament to return on 13th October, 1659, but the late officers whose com-
 “missions were vacated, placed Guards about the door of Parliament, and
 “interrupted the members coming to the House; but on 26th December,
 “Parliament was restored, and sat till 16th March, 1659-60, when a Bill
 “was passed for dissolving the Parliament of 3rd November, 1640, and calling
 “a new Parliament for 25th April, 1660.”

There is no entry in the Assembly Book as to this Election, and no return has been found, but according to Hasted's Kent, Viscount Strangford and Phineas Andrews were the members. The former was the son of Sir Thomas Symthe, 1st Lord Strangford, and the owner of the Westenhangar Estate, near Hythe, and the latter of Denton Court, near Dover.

In the election for the Parliament of 8th May, 1661, the Lord Warden (the Duke of York) again asserts his right of nominating a member, the entry in the Assembly Book being as follows :

“29th March, 1661.—At this Assembly his Mat^{ies} Writt for summoning a
 “Parliament to be holden at Westminster, on the 8th day of May next, directed
 “to the Constable of Dover Castle, and the Mandate of the said Constable there-
 “upon, were severally read; and also two letters from his Highness the Duke of
 “York, the Lord Warden, comending to the Electors John Harvey, of Suffolke,
 “Esq., and another from the Earl of Sandwich to the same p'pose were read;
 “whereupon, by vote of the said Assembly and the greater number of the same,
 “the said Mr. John Harvey and Mr. Phineas Andrews, of Denton, were elected
 “Barons for this Towne for the said Parliament, and ordered to be returned
 “accordingly.”

There were present the Mayor (William Knight), four Jurats, 16 Commoners, including the Town Clerk, and 17 Freemen.

On 26th October, 1662, at an Assembly consisting of the Mayor, five Jurats, 13 Commoners, and 14 Freemen, "His Majesty's Writt and of the Lord Warden "for electing of a Baron in the place of Phineas Andrews, Esq., late deceased, "was read, and his Highness' letter recommending Sir Henry Wood for Baron "for this towne; and it being put to vote, the said Sir Henry Wood was elected "and ordered to be returned after he shall have first made his appearance at "Hythe, and take the oath of a Freeman of this towne, and not before."

Sir Henry Wood was Treasurer to the Queen Mother Henrietta Maria, and was appointed to act as Manager of the household of Queen Catherine on her voyage from Portugal to England.

There appears, from the entries which follow, to have been some difficulty in getting the new Member to comply with the last condition, namely, his personal attendance at Hythe, but it is evident from the entry as to the building of boats, that the desire for such personal attendance was not unaccompanied with the hope of some advantage to be derived therefrom. The entries are a study.

On 24th November, 1662: "At this Assembly it was pte to the vote "whether the last agreement for Sir Henry Wood coming to Hythe to take his "oath shall be revoked or no, and it was carried by most in the negative."

Two days afterwards, namely, 26th November, 1662, another Assembly is held, to decide "whether any shall be commissioned to go to London to see "Sir Henry Wood about lending moneys towards the building of boats, and to "swear him, and it was decided by the most part in the negative."

Another meeting is held on 8th December, 1662, and at last the Commission is appointed. The question is again put "whether any shall be commissioned "to go to London to treat with Sir Henry Wood and to swear him, and it was "resolved in the affirmative." Three of the Jurats were appointed, and the Commission ordered to be sealed.

"At a meeting on 22nd December, 1662, the Commissioners made relation "of "their journey to London to administer the oath of a Freeman to Sir Henry Wood "according to the late order of the house, and of Sir Henry Wood's expressions "to adventure £40, or twice as much as any other man also shall adventure, "but the fishermen of this towne seeing no encouragement therein att first, "nothing is done at this tyme."

On 2nd day of February, 1672, at an Assembly consisting of the Mayor (Robinson Beane), five Jurats, 12 Commoners, and 12 Freemen, Sir Leoline

Jenkins was elected in the place of Sir Henry Wood, deceased; for the first time the validity of the Election is contested. One of the objections would appear from the entries which follow to be that he was not a Freeman, and the Election was declared void, for on the 11th day of February, 1672, another Assembly is held, and the entry is as follows :—

“ At this Assembly Sir Leoline Jenkins, Knt., was unanimously voted, “ decreed, and adjudged a Freeman or member of this Corporation, notwithstanding the Writt of our Sovereign Lord the King for electing a Baron to Parliament abated or was declared void.”

And at the same Assembly Sir Leoline was again elected a Baron to Parliament, but even this was disputed by Edward Hales, the unsuccessful Candidate, who petitioned on the ground that the Mayor had excluded several Freemen who had declared for the Petitioner. The petition was not finally disposed of until the session of 1675, when it was “ Resolved that Sir Leoline Jenkins is duly elected.” Sir Leoline became Secretary of State in 1680.

At an Assembly held on 24th February, 1678, the Mayor (Robinson Beane), five Jurats, eight Commoners, and nine Freemen returned Sir Edward Dering and Julius Deedes. Sir Edward was the son of the member of 1625. Julius Deedes resided in Hythe, and was the ancestor of Colonel Deedes, the present possessor of Sandling Park.

At an Assembly held on 8th August, 1679, the Mayor (Robinson Beane), four Jurats, five Commoners, and ten freemen elected Sir Edward Dering and Capt. Edward Hales, who then took the Oaths of Allegiance and Supremacy, and subscribed the Declaration required by the Act for Regulating Corporations.

Capt. Edward Hales was Lieutenant of Dover Castle. He was the son of Edward Hales who took such a prominent part in the Kent Petition in 1648, in favour of the Royalists which ended in the storming of Maidstone. Edward Hales, the member, on the Restoration, was given a colonelcy in the Infantry Regiment. Being a Roman Catholic, he was under the Test Act liable to a penalty of £500 for holding office. His coachman by arrangement sued him at the assizes for the penalty, and obtained a judgment. He pleaded the dispensation under the Great Seal, and the Judges of the King's Bench gave judgment in his favour, being of opinion that the King could in certain cases dispense with penal laws. He accompanied King James II. in his flight, and was seized at Shellness, near Faversham, and confined in Maidstone Gaol, and afterwards in the Tower for eighteen months, and on his release joined the King in France.

PART IV.

At an Assembly on the 4th May, 1680, “ a letter of thanks was directed to “ be sent to Sir Edward Dering, Bart., one of the Lords Commissioners of Her “ Majesty’s Treasury, for all his favors bestowed on this Corporation, acquainting “ him that the town generally, and some other private persons, are now building “ houses neare the New Stade with all convenient speed.”

At an Assembly on 12th March, 1680, the Mayor (Julius Deedes), six Jurats, nine Commoners, including the Town Clerk and 13 Freemen, re-elected Sir Edward Dering, Bart. (vide 1678), and Edward Hales, Esq. (vide 1679), as Barons to Parliament.

Although the Corporation had for many years accepted the nomination of the Lord Warden of one of its members, it will be seen from the following entry that when it was claimed as an absolute right by Col. Strode, they evidently thought it a matter for consideration. Unfortunately the minutes do not state the result of their deliberations, but seeing how entirely they were in the power of Col. Strode as regards their Charter, which he had seized, it is not to be supposed they would object too strongly to his claim of nominating one of their Representatives to Parliament, although it was an encroachment on their rights and liberties. From the tone of Col. Strode’s letter on the subject, we may judge that he was not a man to be trifled with. It is as follows :—

“ Whitehall, Oct. 6, 1683.

“ Since I return’d from my Circuit, I have attended the King, and given “ his Majesty an Account of the good Condition in which I found and left most “ of his Ports ; and of the Repeated Protestations many of you had made, to “ perform those Assurances of Duty and Loyalty, express’d in your late Address. “ His Majesty seemed graciously to approve thereof ; but withal signified his “ Royal Exception, that your behaviour be in all things suitable and pursuant to “ your Words. It is his Majesty’s Pleasure, that your just Rights and

“Privileges be continued to and enjoy’d by you; and that those of the Lord Warden may not be invaded by your selves or others.

“The Privileges which attend that great Office, are so very well known to you all, that if any of them receive a Diminution by your Means and Consents, you cannot hope to excuse yourselves under a Pretence of Ignorance. Nevertheless I am commanded by his Majesty, to put you in Mind of one of them, which the former Lord Wardens have ever enjoy’d; and no Inhabitants of the Ports presum’d to violate till of late years: that is, ‘The power or Pre-eminence of recommending one of the Barons from Time to Time, to be elected for each of the Ports’: a Privilege which ought particularly to be preserv’d entire. And I do therefore, by the like Commands, desire to receive a punctual answer from everyone of the Particular Ports (whereof you are Members and Inhabitants), whether you do in your respective Ports absolutely yield and admit that this Privilege is the Lord Warden’s undoubted Right; or will take upon you to dispute or oppose it hereafter. And let your Answers be such as you resolve not to recede from: For by your Deportment in this, his Majesty may make probable conjectures, how just and dutiful you are like to prove yourselves in ‘Matters of great Moment.’

“I am your Real Friend and Servant,

“JOHN STRODE.”

Subscribed, “To the Worshipful Mayor, Jurats, and Commonalty of the Towns and Ports of Hasting, Dover, Sandwich, Romney, and Hithe: the ancient Towns of Rye and Winchelsea: and to the Bailiffs, Jurats, and Commonalty of the Town of Seaford: These, Haste, Haste.”

At an Assembly on 20th October, 1683, “a letter was read from Col. Strode wherein the privilege is claimed as belonging to the Lord Warden to present one person to be elected in each of the Ports to serve in Parliament; upon which it was ordered that the Records and ancient usages of this town be inspected, and that the House do meet again on Monday to inspect and examine the same, and to return an answer unto the said letter.”

On 3rd April, 1685, the Mayor (Julius Deedes), five Jurats, nine Commoners, and eight Freemen elected Col. Heneage Finch and Julius Deedes (vide 1678), the Mayor, as Barons to Parliament. Col. Heneage Finch was afterwards Earl of Winchelsea, and was appointed Lord Lieutenant of the County, and Lord Warden of the Cinque Ports.

The election of Mr. Deedes was declared void by the House of Commons, the Mayor having elected himself. On 21st July, 1685, Mr. Deedes surrendered his office as Mayor under Seal, and the advice of Col. Strode was sought as to the proceedings in the Election of a new Mayor. On 3rd August an order is read from the King's Bench for Mr. Deedes to surrender his office, and for the election of a new Mayor, and Mr. Robinson Beane was accordingly elected, Mr. Deedes thus losing both offices, but only for a time, for we find him elected a member in 1688. On 1st August, 1685, the Mayor, six Jurats, nine Commoners, and eight Freeman (in pursuance of a new Writ), elected William Shaw, Esquire in his place, who it is added "did publicly promise in the Election that he would serve them freely without expecting any Parliamentary fees or wages."

On 11th January, 1688, the Mayor, five Jurats, eight Commoners, five Freeman being present, upon reading a letter at this Assembly from His Highness the Prince of Orange for electing and returning of two Barons for this town and Port to the Convention in the said letter mentioned, Edward Hales, Esq. (vide 1679), and Julius Deedes, Esq. (vide 1678), were elected.

On 8th March, 1689, the Mayor, five Jurats, six Commoners, and four Freeman elected Sir Philip Boteler, Bart., of Saltwood Castle and Teston, Recorder of Hythe and other Cinque Ports, and William Brockman, of Bitchborough, Barons to Parliament. There were three other Candidates, Capt. Hales, Mr. Muns, and Mr. Morris. The voting was as follows:—

Boteler, 11. Brockman, 9. Muns, 7. Hales, 5. Morris, None.

In the Session of 1689, an Act was passed to put an end to the interference of the Lord Warden in the election of the Cinque Ports. It is as follows:—

"An Act to declare the right and freedom of Election of Members to serve
"in Parliament for the Cinque Ports.

"Whereas the Election of Members to serve in Parliament ought to be free, and whereas the late Lord Wardens of the Cinque Ports have pretended unto and claimed as of right a power of nominating and recommending to each of the said Cinque Ports, the two ancient towns, and their respective members, one person whom they ought to elect to serve as a Baron or Member of Parliament for such respective Port, Ancient Town, a member, contrary to the ancient usage, right, and freedom of Elections: Be it therefore declared by the King's and Queen's most excellent Majesties, by and with the advise and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the authority of the same, that all such nominations or recommendations

were and are contrary to the law and constitution of this realm, and for the future shall be so deemed and construed, and are hereby declared to have been and are void to all intents and purposes whatsoever, any pretence to the contrary notwithstanding."

The effect of this Statute was supposed to take away the power of the Lord Warden to nominate one member in each Port, but the Elections were still virtually in the hands of the Lord Warden and of the Treasury, who had the power to return both members, and did so for many years.

On 31st October, 1695, the Mayor (William Chittenden), five Jurats, the Town Clerk, eight Commoners, and three Freemen elect Sir Philip Boteler (vide 1639), and Jacob Des Bouverie, Esq., two Barons to Parliament; and at the same Assembly it is "agreed that no person hath or ought to have a right to vote for himself in any election whatever, nor in any other respect."

Jacob Des Bouverie was an ancestor of Lord Radnor. The family came from Flanders and settled at Canterbury about 1567, the Folkestone estates were purchased by Jacob Des Bouverie in 1697.

On 21st July, 1698, the Mayor (Daniel Forman), eight Jurats, the Town Clerk, seven Commoners, and two Freemen, re-elected Sir Philip Boteler, Bart. (vide 1689), and Jacob Des Bouverie, Esq. (vide 1695), as Barons to Parliament, and at the next annual meeting of the Corporation, Sir Philip Boteler, Bart., was also elected a Jurat and Mayor for the ensuing year, Mr. Daniel Forman being appointed Deputy Mayor.

On 4th January, 1700, the Mayor (William Stoakes), six Jurats, the Town Clerk, five Commoners, and two Freemen elect Sir Philip Boteler, Bart. (vide 1639), and John Boteler, Esq., as Barons to Parliament. John Boteler was a brother of Sir Philip.

On 24th November, 1701, the Mayor (William Stoakes), eight Jurats, the Town Clerk, seven Commoners, and one Freeman, re-elect Sir Philip Boteler, Bart. (vide 1689), and John Boteler, Esq. (vide 1700), as Barons to Parliament.

On 17th July, 1702, the Mayor (Daniel Forman), six Jurats, the Town Clerk, five Commoners, and one Freeman, re-elect Sir Philip Boteler, Bart. (vide 1689), and John Boteler, Esq. (vide 1700).

On 12th May, 1705, the Mayor (William Stoakes), six Jurats, seven Commoners, and one Freeman, re-elect Sir Philip Boteler, Bart. (vide 1689), and John Boteler, Esq. (vide 1700).

On 4th May, 1708, the Mayor (Henry Deedes), five Jurats, the Town Clerk,

13 Commoners, and four Freemen, elected The Honble. John Fane, a Lieutenant of Dover Castle (afterwards Earl of Westmoreland), and John Boteler, Esquire (vide 1700), as Barons. "The Mayor before the election made objection against Dav'd Boughton giving his vote, he being no legal Freeman."

And there is also an entry that John Fane is elected Freeman of this Corporation "before he was returned a Member to Parliament, and accordingly sworn."

The Hon. John Fane succeeded his brother Thomas, as 7th Earl of Westmorland, in 1736. He entered early into the military life and distinguished himself under the Duke of Marlborough. In 1733, he was created Baron of Catherlough, in Ireland, having successively represented in Parliament the Boroughs of Hythe, Buckingham, and the County of Kent. In 1739, he was raised to the rank of Lt.-General. In 1754, he became High Steward of the University of Oxford, and in 1759, Chancellor. He died 1762, having married the daughter of Lord Henry Cavendish, but without issue.

The Earl of Westmorland has kindly supplied me with the following extract from a letter of Thomas, 6th Earl of Westmorland, amongst the records at Apethorpe, shewing the great influence of the Lord Warden. It was written about 1703.

"About a year and a half after I came over from Holland, which was in the "second year of the Queen (Anne), I was made a Lord of the Bedchamber to the "Prince of Denmark, and three years after that I was appointed to be his Deputy "and Lieutenant in the Cinque Ports, wherein I was cautious not to act anything "without first acquainting him with it, for as I was of a different sentiment to "all the rest of his family, and was put into this office on the removal of the "Earl of Winchelsea, I had reason to believe my doings would not have the "easiest representations made of them, especially from Mrs. Churchil, who was "not pleased with my Principles. I immediately took possession of the Post "I was entrusted with, and went through all the Cinque Ports to prepare for an "election which was soon to be, and with such success that the members were "almost all changed to the Principles I was of. This was made a great complaint of me to the Prince, of which I cleared myself in the best manner I was "able."

Upon the death of the Prince of Denmark (1708), Lionel Cranfield Sackville, 1st Duke of Dorset, was appointed Lord Warden.

On 7th January, 1709, the Mayor (Henry Deedes), three Jurats, the Town

Clerk, 17 Commoners, and two Freemen re-elected The Honble. John Fane, after his appointment to office of profit.

On 9th October, 1710, the Mayor (Henry Deedes), seven Jurats, the Town Clerk, 18 Commoners, and eight Freemen, elected Lord Shannon, a Lieutenant of Dover Castle, and the Honble. John Fane (vide 1708). The latter being present was duly sworn; but Lord Shannon not being present, it was ordered that in case he should not make his appearance, to be sworn as a Freeman of the Corporation, before 10th November next, a Commission be appointed to administer the oaths to him.

Although it is not recorded on the Minutes, it is evident that John Boteler, Esq., and William Berners, Esq., were also candidates, for at the meeting following, a letter is read from the Chairman of the Committee of Privileges and Elections, which was delivered to the Mayor by the agent of John Boteler and William Berners, requiring an inspection of the Records and Books of the Corporation, and the same permission is granted to the agent of the Members.

No further entry appears in the Minute Books, but the present Member, Sir Edward Watkin, kindly obtained for the writer an extract from the Journals of the House of Commons, and from these it appears that John Boteler and William Berners petitioned against the return of Lord Shannon and John Fane. The first question was "Whether the right of Election was in the Mayor, Jurats, Common Council and Freemen, or in such of them only as inhabit the Port and pay scot and lot." To this the Committee of Privileges reported "that the right of Election was in the Mayor, Jurats, Common Council and Freemen," and the numbers upon the roll were:—

Lord Shannon	...	20	Mr. Boteler	....	15
Mr. Fane	...	19	Mr. Berners	....	14

Objections were then raised to different votes on both sides upon the grounds that the some of the voters demanded their freedom and were refused, that some had not received the sacrament, had not paid Church and poor rate, &c., and also under the head of treating and bribery. The evidence on the latter is somewhat interesting as an example of this offence in these early days, and is as follows:—

"William Carter said that the Mayor went with his staff from house to house to solicit votes, and treated the whole Corporation on the 28th of September last, at Richard Kennett's House, and he then solicited votes for the sitting Members. The Invitation was made Four or Five Days before, and the Mayor paid above £40 for the Dinner; and the Petitioner, Mr. Boteler, was there.

“David Boughton said there were severals treats after the Writs were out, and votes were solicited for the sitting Members. That Thomas, Robert, and William Tournay, Henry Read, Elias Bassett, John Barnes, Solomon Sparkes, Stephen Rand, and Jonas Hatton, who voted for the sitting Members, were there. That Mr. Clare made one treat at Henry Read’s four Days before the Election, who otherwise declared he would have voted for the Petitioners.

“Samuel Pudman said there was treating from the 28th of September to the day of Election; and Colonel Marsh was generally there, and solicited votes for the sitting Members, standing upon the stairs when the voters went up to vote.”

Witnesses were also examined for the sitting Members.

Thomas Clare and Richard Kennett said the Mayor’s feast was to enjoy himself among his friends and neighbours, and that he made such a treat on the day the union commenced.

Thomas Golden said that a week or fortnight before the Election, Mr. Henry Bagnall, a Minister, promised to lend him £20 or £30 for two or three years without interest, if he would vote for Sir Philip Boteler’s interest.

Solomon Sparkes said that Mr. Bagnall offered to give him one or two of the best bullocks in Romney Marsh to vote for Mr. Boteler. That Mr. Bagnall was his best customer, and by voting for the sitting Members he lost his custom. That David Boughton, who is an agent for the Petitioners, and the Petitioners’ servants paid two reckonings for him, when he was drinking in company, and they told him he ought to vote for his own interest.

The result was that the Committee, notwithstanding the evidence, reported that Lord Shannon and Mr. Fane were duly elected; but the House, whilst accepting the Committee’s decision on the first point, namely, as to the right of Election being in the Mayor, &c., adopted the somewhat unusual course of rejecting their decision in the second point, namely, as to the due Election of the sitting Members, and resolved by 205 to 128 that they were not duly elected; and on a second division by 182 to 109 declared the Petitioners, John Boteler and William Berners, entitled to the seats, and directed the return to be amended accordingly.

William Berners did not live long to enjoy the honour, for in the following year, at an Assembly held on 15th July, 1712, the Mayor, seven Jurats, 19 Commoners, including the Town Clerk, and eleven Freemen elected Lord Shannon (vide 1710), in the place of William Berners, deceased, and he

attended and took the oath of a Freeman on 6th September following. On the 4th February, 1712, John Boteler was elected a Jurat.

On 25th August, 1713, the Mayor, eleven Jurats, the Town Clerk, 22 Commoners, and four Freeman elected Jacob Des Bouverie (vide 1695), and William Boteler, Esq. (vide 1700), Barons to Parliament.

On 28th January, 1714, the interest of the Election appears to have increased, for the Mayor, 12 Jurats, the Town Clerk, 25 Commoners, and nine Freeman elected Jacob Des Bouverie (vide 1695), and Sir Samuel Lennard, of West Wickham, the latter having taken the oath of Freeman of the Corporation; and both Members took the oaths according to the late Act of Parliament, and the accustomed Oaths of Barons to Parliament.

There were two other Candidates, John Boteler and William Brockman, and the voting was as follows:—

Des Bouverie, 26. Lennard, 25. Boteler, 22. Brockman, 20.

The following entry shews that votes began to be of value.

“Whereas Henry Stoakes, one of the Jurats of this Corporation, did lately “by an unparalleled instance of a letter under his own hand offer to sell his “own vote and that of his Father’s and Elder Brother’s at the last Election of “Members of Parliament for this Town and Port to the ensuing Parliament, “which the said Henry Stoakes did own and confess publicly before this “Assembly of the Corporation, And whereas Mr. William Stoakes, his Father, “and Mr. Thomas Stoakes, his Brother, did both publicly own and confess “and declare before the said Assembly that the said letter was so wrote by the “said Hy. Stoakes, without their privity, consent, or approbation: It is there- “fore *nemine contradicente* agreed, ordered, and decreed that the said Henry “Stoakes shall for his said offence be removed and displaced from his Office and “place of a Jurate of this Corporation.”

The above was carried by the Common Councilmen, the Mayor and Jurats having withdrawn, as was customary during the Election of Jurats, and on their return

“The Question was put whether the said Mr. Henry Stoakes, for his offence “aforesaid, shall be expelled out of this Corporation, which he is agreed to be “*nemine contradicente*; and it is hereby ordered and decreed that he be removed “and disfranchised accordingly.” Stoakes obtained a mandamus against the Mayor and Corporation, and was replaced in his office of Jurat. This Parliament was not dissolved until 10th March, 1722.

26th March, 1722. The Mayor, 8 Jurats, the Town Clerk, 35 Commoners, and 14 Freemen elected Sir Samuel Lennard, Bart. (vide 1714), and Hercules Baker, Esq.; and the latter was also elected a Common Councilman.

The member for Hythe in these days was evidently expected to contribute to all sorts of works in the town, and in this respect possibly it may be said that the expectations of the voters in Hythe have not undergone much change.

An inscription on a stone now in possession of Alderman William Brown Horton states that "This (the East Bridge) was built at the charge of Hercules Baker, Esq., one of the Barons in Parliament for this Port in the year 1728."

In 1741, new water pipes were laid down from the town cistern, and at the end of the specification of the works it is stated "All done at y^e charge of Hercules Baker, Esq."

22nd August, 1727. The Mayor, 7 Jurats, the Town Clerk, 37 Commoners, and 16 Freemen re-elected Sir Samuel Lennard, Bart. (vide 1714), and Hercules Baker, Esq. (vide 1722).

22nd August, 1727. Mr. Thomas Hales was also a candidate at this Election, and previously to his candidature he signed the following undertaking, which is endorsed—"Hales, Esq., his agreement, in case he was chosen our Representative."

"A debt upon the Corporation of £50.

"An Arch Bridge of stone, West end of the town.

"Stone steps going up to the Church.

"Jurats' and Commoners' Seats and new Pulpit.

"Sergeants' Maces.

"I agree to the performance of the above written articles if elected a member of the Town and Port of Hythe.

"Witness my hand,

"July 13th, 1727.

"THOS. HALES."

Notwithstanding this somewhat extensive undertaking, Mr. Hales was unsuccessful, the numbers being:—Sir John Lennard, 54; Capt. Baker, 33; Mr. Hales, 29.

22nd February, 1728. The Mayor, 8 Jurats, the Town Clerk, 39 Commoners, and 19 Freemen elected William Glanville, Esq., in the place of Sir Samuel Lennard, deceased, and he took the Oath of a Freeman and was chosen a Common Councilman. Mr. Glanville was Lord of the adjoining Manors of Enbrook, Cheriton, and Belle Vue, Lympne. James Brockman, son of William Brockman, the former Member, was also a candidate, and voting was as follows:—

Glanville, 37; Brockman, 28. Mr. Glanville erected the stone steps leading up to the church.

27th April, 1734. The Mayor, 6 Jurats, the Town Clerk, 29 Commoners, and 15 Freemen re-elected William Glanville, Esq. (vide 1728), and Hercules Baker, Esq. (vide 1722). The members erected a gallery in the church, which was removed in the recent restoration.

Each of these Members was fortunate in obtaining an office of profit. Capt. Baker was made Treasurer of Greenwich Hospital, and was re-elected on 5th April, 1736, by the Mayor, 6, Jurats, the Common Clerk, 15 Commoners, and 15 Freemen; and William Glanville, who accepted office as one of the Commissioners of His Majesty's Revenue in Ireland, was re-elected on 1st July, 1737, by the Mayor, 5 Jurats, the Common Clerk, 18 Commoners, and 19 Freemen.

5th May, 1741. The Mayor, 5 Jurats, the Common Clerk, 18 Commoners, and 23 Freemen re-elected Hercules Baker, Esq., (vide 1722), and William Glanville, Esq., (vide 1728).

At the Annual Meeting of the Corporation on 2nd Feb., 1742, the following curious entries appear :—

“ At this Assembly Thomas Clare, Esq., the late Mayor, produced a clause in “ the last Will and Testament of William Brceckman, Esq., together with a letter “ he received therewith from James Brockman, his Son and Executor, both of “ which remain in the hands of the said Thomas Clare, but it is ordered by this “ Assembly that the said letter and clause of the Will shall be inserted verbatim in “ this Book, and are as follows :—

“ Sir,—There being a clause in my late Father's Will relating to the Corpora- “ tion of Hythe, I think it incumbent on me to acquaint you therewith, and desire “ you to communicate it to the Corporation, and at the same time I hereby assure “ you and them that whenever they have a right to the legacy therein mentioned “ it shall be duly paid by their and

“ Sir, Your obt. Humble Servt.,
J^S. BROCKMAN.”

“ Beachborough, 29th May, 1742.

“ To Thomas Clare, Esq., Mayor of Hythe.”

Copy of a Clause in the Will of Wm. Brockman, Esqre., late of Beachborough, deceased :—

“ I do hereby as far as in me lyes enjoyn my said Son James that he never

“ again offer himsele to stand Candidate to represent the said Corporation & Port of Hythe in Parliament. But yett my mind and Will is and I do hereby nevertheless will and require that whenever it shall be made appear unto him my said Son James and Intended Executor that the Local Inhabitant Freemen of the said Corporation, Town and Port of Hythe have Two Members to represent them in Parliament, both nominated and elected thereunto by the Majority of themselves & from & upon their own proper and Imediate Motion, That then my said son James, my said Intended Executor, shall stand & be obliged to Pay and Distribute to and among such the said Majority One hundred Pounds in such maner & proportion as to him shall appear most meet and beneficiall towards restoring and recovering the Native & National Rights and Libertys of the said Corporation, Town and Port of Hythe, together with their freedom of Elections.”

3rd December, 1744. The Mayor, 5 Jurats, The Common Clerk, 13 Commoners, and 22 Freemen elected Thomas Hales, Esq., in the place of Hercules Baker, Esq. (vide 1722), deceased; and at the annual meeting of the Corporation on 2nd Feb., 1746, Mr. Hales, like Sir Philip Boteler in 1698, was elected Mayor as well as Member, but he resigned the Mayoralty in the following June, being obliged to attend His Majesty's service.

Mr. Hales having been elected member, now carried out one of his promises of 1727—the town was presented with maces which bear the following inscription: “ The Gift of Thomas Hales, Esq., Lieut. of Dover Castle and Member for this Port, 1744.”

16th April, 1754. The Mayor, 8 Jurats, the Common Clerk, 17 Commoners, and 39 Freemen re-elected Sir Thomas Hales, Bart. (vide 1744), and William Glanville, Esq. (vide 1728).

25th March, 1761. The Mayor, 9 Jurats, the Common Clerk, 14 Commoners, and 31 Freemen elected Lord George Sackville and William Glanville, Esq. (vide 1728); and on 26th December, 1765, Lord George Sackville was re-elected, having lately accepted the Office of Vice Treasurer and Receiver General, and Paymaster General of His Majesty's Revenue in the kingdom of Ireland, the electors present being the Mayor, 9 Jurats, 12 Commoners, and 27 Freemen.

“ 1765, Dec. 23rd, Pall Mall. Lord George Sackville to General Irwin.

“ I am writing to you a little before I set out for Hythe in hopes of being re-elected. I vacated my seat last Fryday by accepting the office of one of the Vice-Treasurers of Ireland, and immediately after kissing hands I was sworn of

the Privy Council in the King's Closet. I cannot acquaint you in this manner of all that passed previous to this event, but you may remember you always wished me to be in employment, were it but for a week. I am now undergoing that kind of abuse in the newspapers which I knew was to happen whenever I returned to office, but among other things it is said that my being employed would be taken ill by the House of Brunswick, and the Hereditary Prince being here made it particularly improper. However the appearance did not answer the assertion, for he happened to be at the Levee when I was presented, and as soon as the King was out of the Room, he walked up to me and in the most polite manner wished me joy. The talk of the Town now is that Mr Pitt is expected in London from Bath, and that he is, in conjunction with Lord Temple, Mr Grenville, and his connections, to make up a wise and permanent Administration; and to prepare the way, Lord Temple sets out to-morrow to concert the previous steps to this important event. Whether this be true or no I cannot say, but the Ministers have no reason as yet to imagine he is adverse to them, and the majority in both Houses does not call for any immediate alteration. Be that as it may, I am not sorry I am now once more belonging to the Court."

17th November, 1766. The Mayor, 10 Jurats, 13 Commoners, and 36 Freemen elected William Amherst, Esq., in the place of William Glanville, Esq., (vide 1728), deceased. William Amherst was the youngest son of Jeffery, Lord Amherst.

At the election on 16th March, 1768, there was a contest, the Mayor, 7 Jurats, 15 Commoners, and 38 Freemen being present. The candidates were John Sawbridge, Esq., William Evelyn, Lord George Sackville, and Sir Charles Farnaby. It resulted in the return of the two first, the numbers being:—John Sawbridge, 54; William Evelyn, 53; Lord George Sackville, 11; and Sir Charles Farnaby, 11.

John Sawbridge was a Frame-work Knitter in the City of London—he was Sheriff of London in 1769 and Alderman of the Ward of Langbourn. In 1775 he was elected Lord Mayor. The present representative of the Family is Sawbridge Erle Drax, Olanteigh, near Wye, Kent.

William Glanville Evelyn, of Ightham, Kent, was Captain of Sandgate Castle. He was the son of the member William Glanville (vide 1728), and took the name of Evelyn.

Sir Charles Farnaby, of Sevenoaks, married the sister and heiress of John Radcliffe, of New Harbour, Chart, near Ashford, Kent, and after his death

took the name of Radcliffe. Sir Charles, although defeated at Hythe, was returned for Kent in 1769 in the place of J. F. Sackville, who had succeeded to the title of Duke of Dorset.

Lord George Sackville, a son of the Duke of Dorset, the Lord Warden, had been returned through the influence of his father, and from the letters which appear hereafter, his Grace evidently began to look upon Hythe as his family Borough ; but Lord Holderness being appointed Lord Warden, all the efforts of Lord George to retain the seat were of no avail against the candidate of the new Lord Warden. The correspondence on the subject is very interesting, especially as we have the views and tactics adopted on both sides set before us. Lord George Sackville's letters appear in the 9th Report of the H.M.C., Part III. on Mrs. Stafford Sackville's MSS., and through the kindness of Col. Deedes, of Sandling Park, I am permitted to publish the letters of those who opposed him.

Copy of a letter, without date, from the 2nd Duke of Dorset to the Duke of Grafton, complaining that the latter has promised the support of the Government to Mr. Evelyn in his attack upon the Duke of Dorset's family interest in the Borough of Hythe. The Duke of Grafton, in his reply, dated Grosvenor Square, January 22nd, 1767, says that no one interferes less in election concerns than he does, and that if he has assured Mr. Evelyn of his best wishes for his success, it is on account of his standing in the interest of the Lord Warden, "which I must always consider as the leading one at that place, and by the advantages of which office I have ever understood that interest to have been founded which your Grace then claims."

"1767, Feb. 13th. Lord George Sackville to General Irwin.

"I am just returned from Hythe, where I have withstood a most violent attack. Lord Holderness assured the ministers that my family had no further interest in that place than what arose from the influence of the Lord Warden, and he claim'd the support of Government that he might have the nomination of two members there, which he could obtain without difficulty, as he should have the assistance of many gentlemen in that neighbourhood. Mr. Evelyn was one of his candidates, and he was set forward to declare himself for the general election. Mr. Hatton was to have been the other, but he was not produced. The 2nd of February is the day for choosing a Mayor, and as he is chosen by the whole of the Freemen in the same manner with members of Parl^t the L^d Warden and Mr. Evelyn set up a nomination in opposition to the person they

knew I was engaged to, and carried it on with the same eagerness as if there had been the election of a member, so that by this previous question we were to show our respective interests. Threats, promises, and money were used in their full extent. The contest was not fair, as I could pretend to have neither the means of rewarding or punishing, and had nothing to set against present interest and future expectations, but personal attachments and gratitude for past favour. However, to the honour of my constituents, my friends would not forsake me, and upon the poll I carried my Mayor by 51 against 34, and I had the pleasure of seeing most of those in Custom House employment vote for me, and all of those who were under the L^d. Warden, tho' they were assured in the most positive manner that they would be immediately dismissed from their offices. This sort of violence gave offence to all moderate people, and the Treasury disavow having authorised any such unconstitutional language to be held on their part, and I am assured nobody will be turned out by them for having voted according to their opinions. What L^d. Holdernessee will do I know not. If he begins with that sort of work, the previous threatenings shall be publicly proved, and he may take the credit of avowing them. Had I lost the first question, I should soon have been overrun, but they will now see that I am more firmly established there than they imagined, and that the place is not to be carried by a coup-de-main. I really thought when I took Amherst for my partner that I had shown such a decent attention to Government in that choice that I might have remained unmolested. I must now take the best measures I can for my security, and I comfort myself in having another year to wait events and consider of it."

"1767, Oct. 4th, Stoneland Lodge. Lord George Sackville to Gen. Irwin.

"I was much disappointed at not seeing you on your arrival in London.
 * * * I was call'd from London upon the same sort of business in which you are engaged [in Scotland]. To-morrow is the county meeting at Maidstone, when Mr. Sackville† will be proposed as one of the candidates. We know not yet who is to be his opponent. Many wish to prevent his having the honour of representing the county of Kent, but at present the appearances of success are in his favour. I hope your affairs in Kinross-Shire are in as good a situation as you expected. * * * I am deeply engaged at Hythe, and hitherto I stand my ground amazingly well. I little thought I could ever have resisted the whole weight of Government with any prospect of success, but at this instant I flatter myself that I have the majority of the borough with me."

† Lord George Sackville's nephew, afterwards 3rd Duke of Dorset.

“ 5th Dec., 1766. William Deedes to William Evelyn.

“ The letters that passed between us some time ago relating to the Corporation of Hythe occasion my writing this. You recollect how I then told you L. Rockingham had engaged to support Col. Amherst. A few Days before the late Election, M^r. Best wrote to me at the Request of Lord Holderness, by whom he is appointed to the Place in Dover Castle, that the late Sir T. Hales had to let me know that Col. Amherst stood at Hythe upon the Interest of the Lord Warden joined to that of the Ministry, and desired I would take every Opportunity of Declaring so; and M^r. Hatton, who acquired a Fortune as Commissary, and otherwise, and has purchased about £100 a year in East Kent, has long been connected with Lord Holderness's Family, and is appointed by him to the second Place in Dover Castle, attended at the Election and said he was there by Lord Holderness's Orders to acquaint those who had any Obligations to his Lordship that it would be agreeable to him if they would vote for Col. Amherst. This could be nothing but a public Profession of the Lord Warden's avowing Pretensions to an Interest, and of his Disposition to make use of it against Lord George; and Lord George I was told (for I was not there) said he found Col. Amherst was secure at the general Election, and that he must endeavour to take Care of himself. This was enough to give an Alarm, and Hatton's making pretty open Enquiries since has increased it. I have not seen him since, but I have Reason to think he means to Discourse with Me about it the first Opportunity. It has been strongly hinted to Me by his Directors that he would assist Me, if I would embark myself: this I have not the least thoughts of doing, and very possibly he may have been aware of such my Resolution before he dropped the Hints. I am quite in the dark who they think of, but am a little inclined to imagine Hatton himself. All I can say is, that I should embark in an Opposition much more cordially in your Favour: and so I believe would M^r. Brockman. Sir J. Filmer knows nothing of the Matter, but I think he would agree with Us; and after all, this is perhaps little more than our own Votes. You have thus the State of Facts. If you think it worth your while, You should apply early to the Lord Warden by the best Introduction you can get; with his Interest, in the present situation of Affairs, I think you might hope for Success,—without it, nothing can be done. Tournay is certainly devoted to Lord George. Who, if you are encouraged to proceed, you can find out as an Agent, I am at a loss to guess; certainly I cannot take that labouring oar upon myself. They are alarmed, and there is a Possibility of their making Freemen: that I think we must take the

Chance of, for I see not how we can make a Push for the next Mayor; though I think facing them at Candlemas with a handsome appearance might be a means of preventing dirty work, and I am in hopes Tournay in particular and other Inhabitants would consider their own Interests too well to increase the Number of Voters. What I have said is upon a Supposition that you like to enlist under the Lord Warden's Banners, and that you meet with Encouragement from him."

"8th Dec., 1766. William Evelyn to William Deedes.

"I think myself exceedingly obliged to you for your very friendly Letter. I thought it would be to little purpose to make any pretensions to succeed my Father at Hythe as circumstances then were. I certainly will make use of the hints you have given me, and first by seeing L^d Holderness and knowing his intention, and by offering to fight his Battle for him, for Believe me there is hardly any thing I would not do to eradicate that haughty fellow; tho' I can hardly think he hath taken root there yet."

"11th Dec., 1766. Chilston. Thomas Best to William Deedes.

"As I conclude you were at Hythe last week, I hope you have got all the information concerning the political situation of that Borough w^{ch} you were so kind to tell me you w^{ld} endeavour to procure, and I shall be vastly obliged to you for it, as I believe I shall be going to Town soon."

"13th Dec., 1766 James Brockman to William Deedes.

Mr. E—— [Evelyn] has call'd on me here. I gave him such Intimations as you and I had discours'd of, with which he seem'd pleas'd and wou'd set about making such enquirys as he shou'd think proper from y^e hints I gave him, in order to form his determin'd Resolution: he seemed to resent Mr. T——'s [Tournay] having refus'd him y^e List he had desir'd of him, but I desir'd him y^t whatever he might have thought, he wou'd now suspend his resentm't.

"Mr. E—— said he was going into y^e Country again, but if I staid in Town till Thursday, he shou'd return by y^t time, and he would call to inform me of any steps he might take in y^e Interim."

"14th Dec., 1766. William Deedes to Thos. Best.

"With respect to Hythe I was well satisfied when I was there that Lord George was alarmed, and that principally by Mr. Hatton's being there at the election and ever since. I had some talk with Gipps, whom Hatton seemed principally to have consulted: he is no Freeman himself, and I think not remarkably well qualified to carry on a Plot, though at present I know not whom I could recommend in that Capacity. Gipps told me Hatton had strongly

hinted that I might be supported: how far that is true I know not, but I am sure it is the farthest from my Thoughts, and I would not embark on such a scheme upon any Consideration. Evelyn has always had an inclination to stand there, and it was through my Persuasion, and on my representing that I knew it was impossible to succeed, that he declined it upon his Father's death. He wrote to me again last week and told me he intended to apply to Lord Holderness, and upon receiving encouragement from him would gladly undertake to fight his battle. I have talked to Brockman about it, and we both think he will be a very creditable person to support, and that his own family, together with his Father's, having represented the place so many years, are circumstances that give him a preference. This I mention without knowing who, or whether anybody, has been particularly thought of by the Lord Warden's Friends. I could not find that Hatton had named any Body to Gipps, and I have not seen Hatton to give him any Opportunity of talking to Me. I am of the same Opinion as when I saw you, that an Opposition would be attended with success in the present state of the Corporation: there is no saying what alteration making Freemen might have, but I am willing to hope that the Inhabitants would not consent by that means to lessen their own Influence. I had some Talk with the principal Person, with whom I am upon a very good Footing, though I know he is attached to Lord George, by having asked of him several Favors for his Relations and Friends which have always been complied with. He seemed himself against making Freemen, and said he had heard Lord George declare he would not wish to succeed by that Means. There is certainly but one way of preventing it: that is by carrying a Mayor next Candlemas. That if at all could only be done by a declared Opposition so early: the Consequences of that are obvious, and I should think it more advisable to take our Chance: some of the independent Gentlemen shewing themselves at Candlemas may be a Means of deterring them from putting any such scheme in practice then, and an honorary Freeman must be made a twelvemonth before he can vote. Hatton has a list of the Freemen, of which Gipps promises to send me a copy, though he has not yet done it: that I have is imperfect."

"15 Dec., 1766. William Evelyn to William Deedes.

"You ask me if I have seen L^d H— [Holderness]; I have this Morning for the second time. He seemed pleased at my Proposal. This night he tells me he hath spoke to the D— of G— [Duke of Grafton]: that he is very much inclined to me: and desires to see me as soon as he comes to town after Xmas.

Upon the whole I have not at present any reason to doubt his intentions of taking me as his Man. Give me all the assistance you can. L^d George I hear intends choosing a Mayor next time, when he will think himself safe. Take every step in y^r. Power to prevent it, as also to persuade them not to make any honorary Freemen. If you will send me a List, I shall be very much obliged to you (if wth comments, more so.)”

“ 27 Dec., 1766. Thomas Best to William Deedes.

“ I receiv’d the favor of y^r. obliging Letter of y^e. 14th inst. at my Return from Dover, whither I went to attend L^d Holdernesse at his Request for a day or two. His Lordship met M^r. Gipps there with Me, when the whole affair was talked over and settled between Them. His List of the Freemen I have by Me, so will not give you any further trouble on that head. The Person you mention’d I should think will be approv’d of at the next Election.”

“ 28 Dec., 1766. James Brockman to William Deedes.

“ M^r. Gipps of Hythe being accidentally at Dover when L^d H— and M^r. Best were there, he was introduc’d by this to y^e. former, as a Person well acquainted with particulars relating to Hythe, and was most graciously receiv’d, with which he is very much pleas’d, especially as it not only produced a long Conversation at the Time, but a Letter from his Lordship since, to ask his opinion about appointing a proper riding Officer in y^e. Room of one deceas’d. He called here to consult me about it, and I desir’d him to recommend Mercer, which he has done, who has been with me since, and furnish’d me with a perfect List of y^e. Freeman with their distinctions. I hope his Son will succeed to y^e. present vacancy, and I don’t doubt but y^e. Father will pay good regard to what you and I may recommend to him.”

“ 2 Jan., 1767. William Evelyn to William Deedes.

“ I received the favour of yours. You may depend on seeing me either Tuesday or Wednesday next. If you think it will be proper, I will most certainly wait on M^r. Brockman. I am much obliged to you for your information concerning Mercer. If I could have been of any use, I should have been glad to have done it.”

“ 5 Jan., 1767. Lord Holdernesse to William Deedes.

“ I am favoured with your letter of the 3rd inst., and in consequence of it immediately applied to the Duke of Grafton, upon the appearance of a vacancy of a Riding Officer at Dimchurch; but I apprehend there must be some mistake, for upon his Grace’s list there appears the name of John Pitt, Riding Officer at

Lydd, but no such name as Pitt at Dimchurch. I must beg to trouble you to obtain a little further and more certain information relating to this affair, and first: The Christian Name of Pitt, whose health is declining. 2^{ndly} The place where he is employed: In the mean time the vacancy will not be filled up, if it should happen, till I can hear from you again. Kennet's Name is set down to be provided for the first opportunity."

"15 Jan., 1767. William Evelyn to William Deedes.

"I sent a letter to Sir John Filmer, informing him of my intentions, and to beg his attendance at Hythe at Candlemas [the election day for Mayor]. Do you write to him to enforce my Request. I was with Lord Holderness, this morning, where I met Will Mercer. His business is done, and he much pleased. The ministry and L^d H— determined not only L^d G. S— shall not come in for Hythe again, but lest Col^l Amherst should be supposed to come in on any interest of the Sackvilles, he is to be removed to some other place. This L^d H— hath informed me of, and he is well pleased with it, as he was much embarrassed how to have acted between the obligations of the present ministry, and those originally to the Sackville Family. L^d H— then asked me who I would choose for my colleague, whether you had intentions of the kind. I told him certainly not, as you said to me the other day. Then he proposed M^r Mann. I told him that I believed he would be very well approved of, and received by the electors. Accordingly I have wrote to him by this Post, to know his sentiments thereon, and to desire him to come to Town immediately L^d H— writes to-night to M^r Hatton to go to Basil Rogers, concerning the making of Freemen and to prevent it, and likewise to desire that old Mercer may be chosen Mayor, and that you, Sir J. Filmer, myself and my brothers, and W^m Kennett, may be made commoners. According to our notions, and what Will Mercer seemed to think, we have a majority among ye Jurats, and at least 3 to 2 on the whole List. Mercer thinks it will be right for you and me to be there a day or two beforehand. Consult M^r Brockman and take his advice, as I am ready to do any thing that you and he shall think proper."

"15 Jan., 1767. Thomas Best to William Deedes.

"I hope you are got safe to S^t Stephens after your most extraordinary Expedition with M^r Evelyn to M^r Brockman's. I had a good deal of conversation with him as you may imagine about Hythe, and hope if Mercer be fixed for a Riding Officer it will be the means of bringing about everything as can be wished, as it will attach the family to L^d Holderness's interest, and show the

rest where the power now lies. I think and believe the method yourself, Mr Brockman, Mr Drake and Mr Gipps have taken to prevent the Mayor from making any more honorary Freemen will have the desired Effect for this time, which is all we desire."

"17 Jan., 1767. Lord Holderness to Mr. Best.

"In consequence of letters received from Kent I have recommended Mr Mercer Jun^r to succeed Mr Ogle as Riding Officer of the Customs at Hythe, and he is accordingly appointed to that post. Considering the circumstances of that Borough, I thought it right to advise Col. Amherst not to think of offering his services there at the next General Election, as he would have been under the painful Dilemma either of being lukewarm in support of an Administration that favours him, or of opposing the Interest of a Family to which he has Personal Obligations."

"20 Jan., 1767. Henry Gibbs to James Brockman.

"You'l perceive by the enclosed that I have seen Mercer, who told me that he came to Beechboro' with Mr Drake. Mr Hatton has not been here, neither do I know when he comes. I need say no more than that I think myself that Lord Holderness should know a little more of the State of things than he seems to do by Mr Mercer's account. He appears to me to be too sanguine. If you therefore approve of the enclos'd going to him, the sooner he has it I think the better. Mercer will bring it you to-morrow Morning time enough to go to Canterbury, and if you approve of it and will send it to Mr Deedes by his Servant, he will most likely send it to the post the same night and Seal it. I should endeavour as I have mention'd to get a majority of Voters for Mayor in Town (tho' he) that we would wish might not be chose."

"21 Jan., 1767. R. Drake to William Deedes.

"You find by Gipps that He is in a Funk. On Monday He was with Mr B— [Brockman] and inform'd him that He had been with Rogers and applied his Gentle Admonitions with respect to the making Honorary Freemen, but that not doing, He communicated him his full Powers, and declaring the Consequences in Case he proved refractory, on w^{ch} my Gentleman flew out and said He had been ill us'd in not having Duckworth provided for ; that He would not promise anything, neither did He know but that He sh^d very readily concur in making Freemen ; and that He gave no Heed to second Hand Messages ; and on w^{ch} Gipps came up here frighten'd out of his wits, and declaring everything to be in extreme Danger. But I'm sure Rogers only puts on a fierce Countenance to give himself more

Consequence and make as good Terms as he can. He is vastly pricked that Mercer has been the Channell of Intelligence."

"21 Jan., 1767. William Deedes to Lord Holdernessee.

"Mr Evelyn in a Letter to Me of the 15th inst wrote Me Word that your Lordship was to write that Day to Mr Hatton to go to Mr Rogers to tell him what was expected about making no new Freeman, and to desire that old Mercer might be Mayor, and likewise to mention the Persons to be made Commoners. As I am uncertain whether either Mr Evelyn or Mr Best are in Town, I take the Liberty as the surest Method to acquaint your Lordship that Mr Hatton has received no such instructions on Sunday; apprehending that, as the Time is so short, if there had been any Mistake or Miscarriage of a Letter, the sooner your Lordship was apprised of it, the better. I wrote fully to Mr Evelyn on Monday, giving him my Reasons for thinking the Majority of Jurats were against Us; if so we must fail in filling up the vacant Commoners. I desired Mr Mount, of Deal, to attend Mr Hatton on Sunday to consult with him whether he should fetch from London the Staceys, more of whom he thinks are entitled than have yet taken up their Freedoms; Mr Hatton could give him no Answer. They are related to Mount, and he thinks he could influence them, and is willing to go to London or take any other Steps to secure them at Candlemas, if he receives your Lordship's Directions on that Head, either through Mr Hatton or more expeditiously directly to him, a Butcher at Deal. I likewise submit it to your Lordship's better Judgement whether Mr Gipps or somebody should not be desired to make Application to the Freeman to vote for Mercer as Mayor at Candlemas, for the Time is very short and no public Declaration or any particular Application has been made. I am now writing to Mr Evelyn, at S^t Clere, to apprise him of the Purport of this."

"21 Jan., 1767. William Deedes to William Evelyn.

"In Yours of the 15th Ins^t You tell me that Lord H— was to write that Night to Hatton to go to Rogers with Instructions about the Mayor and Comm^{rs} and the not making Freeman. I have just now learnt that Hatton had received no such Letter on Sunday, and as the Omission might be material I have wrote to L^d H— to apprise him of it, and that no Application has been made to the Freeman, nor any public Declaration that Mercer is intended to be Mayor. I likewise mentioned to his Lordship that Mount had been with Hatton about the Staceys, but that he could give them no Directions about them. My Fears are that we may miscarry at Candlemas for want of taking the seeming necessary

Steps. I write to-day to Sir J. Filmer. Will Mercer called here yesterday, and told Me he saw You again at L^d H— on Sat. Morn.

“Since I have wrote the above, Gipps has sent Me a Letter to forward to Lord H—. He apprehends we are losing Ground by doing nothing, and is earnest for L^d H— sending You down immediately. I think you had better at all events go to Town upon your receiving this.”

“22 Jan., 1767. William Evelyn to William Deedes.

“I received the favour of your very obliging Letter of yesterday’s Post. I came to Town this morning, and have seen L^d H—. Mr Mann hath been with him, and desires till Saturday or Sunday next to give in his answer. I shall stay in London till after that. If he s^d not, could you propose anyone? I will propose him to the Duke of Grafton, and L^d H—. L^d H— hath wrote to Mr Best to pave the way against Candlemas-day, which Plan, I understood, was to be communicated to you, Mr Brockman, &c., to take your ideas and beg your assistance. The Duke of Grafton is determined to stand by me. Gipps assures L^d H— that L.G.S. [Lord George Sackville] had not taken any steps, when he wrote. I rather think that when he finds that we are determined to Stand him out, that he will think it not worth his while, when he can be chose at Grinstead for nought, to be at a great expense at Hythe. I shall see L^d H— again to-morrow, and I am to dine with him on Saturday, in hopes Mann will come to his determination while I am there.”

“22 Jan., 1767. William Deedes to Lord Holderness.

“Since I took the liberty of writing to your Lordship yesterday, I have been apprized of the contents of Mr Gipps’ letter, which reached you at the same time. Give me leave now to point out some Facts; your Lordship will best judge what steps to take in consequence of them; you have the List and can therefore refer to the Names as I mention them. Of the Jurats, I take L^d G. Sackville, Dr Curteis, Mr Bayle, Sir T. Hales, Mr Smith, and Mr Robert Tournay to be dead against us: Mr W. Tournay I understand intends to stick to his Family, notwithstanding his Officer’s Place, as he is the Person Mr Gipps says they are canvassing for Mayor. Mr Basil Rogers pays no regard to Mr Gipps’ deputed authority, and tells him he will promise nothing. Mr Hills and Mr Macket are superannuated Officers: whether Government has any hold over them as such, I know not, nor can I tell how they are affected. Mr Batties can only be got at by being Brother to Rogers’ wife. W^m Stoakes I suppose is with us, though I know not whether his place is a sufficient tie upon him. Mercer we may depend on. Thus your

Lordship sees the Jurats must be against us. The consequence probably is, that they will fill up the 6 vacant Commoners, and with this additional Strength may battle at Candlemas for honorary Freemen; and this even with the Mayor against them. If the Mayor is with them, he will call a house meeting at any time, when they shall want to make any alteration: if the Mayor is against them, it will be in his power to refuse to call any house meeting, and then Things must remain in the same situation they are left at Candlemas. Of the present Commoners with proper application I suppose we may depend upon M^r Jordan, M^r Brockman, Sparke, Cap^t Wellard, John Mannings, John Rolfe, W^m Jordan, Tho^s Mannings, Sir B. Bridges, W^m Mercer, and Duckworth. Likewise Baker and Sutton have small places. M^r Gaines I take to be against us. Sir W. Twisden I know nothing of. I need not mention M^r Baron Smythe and Col. Amherst: M^r Bayle is undoubtedly against us. Thus are we strong among the present Commoners: but if we are to guard against the worse, we are to suppose 6 new ones against us: in that case securing a majority of the whole (and they seem to be nearly balanced, Jurats and Commoners together) prevents any new Freemen. I cannot pretend to go through the List of the Freemen, and indeed what I have already said is in some measure founded on my knowing the People, for I believe they have not been canvassed on the present occasion; if they have, I know not the result of it. Your Lordship need not be any further informed what depends upon the Mayor: if you think it an object worth attending to, certainly no more time should be lost in looking up the outlying Freemen, and as for expense, it seems at least necessary they should be assured of having their Charges handsomely borne. Mount would apply to the Staceys, and perhaps others in London. Rolfe (if he is secure) to 5 or 6 about Romney and Lydd. Capt. Bray is I believe a half-pay Navy captain, and lives at Deal. Gipps knows the situation of all of them, and would certainly contrive to find them out, if properly authorised. In my letter to M^r Evelyn yesterday I advised him to come immediately to Town. Your Lordship will excuse my troubling you with so many particulars, which I was the rather induced to do, as I thought, by talking over with W^m Mercer, you was not sufficiently acquainted how affairs now stood."

"23rd Jan., 1767. William Deedes to William Evelyn.

"For ought we know the canvass Gipps mentions for Mayor may be from Tournay, and the Opposition Party in Town, and not from L^d. G. S. But supposing they do not intend to appear with all their Strength, the more we have

sure the better: we may thereby awe our Opponents, and strike them with future Terror: the Trouble and Expense will be but trifling. My letter to you on Wednesday directed to S^t. Clere contained nothing material, but rather referred you to what I wrote to L. H. You see by those letters no Steps had been taken for a Mayor by our Party. As for recommending in Case M^r. Mann should decline, I can think of nobody unless Sir J. Filmer should choose it. I know not that he would, and cannot mention it to him in the present uncertain State. Should there be occasion nobody is proper to apply to him than Best. There is hardly Time to fix upon any Body before Candlemas: therefore it would be better to look out for somebody that is known than a mere Stranger: Sir E^d. Knatchbull would be agreeable to Us: but I know not whether he would be desirous of it; He is now in Bond Street and Gibbs may or may not know of L^d. G. S. having stirred. What I said above means that he has not said so in any Letters I have seen. I have not seen Gipps myself since we were at Beachborough."

"23 Jan., 1767. Lord Holdernesse to William Deedes.

"I have received the favour of your most obliging letter of the 20th inst., which I have communicated to Mr. Evelyn as you will find by the enclosed letter from him: I thought upon consideration it would be the safest method to write an ostensible letter to Mr. Best in which I explain my thoughts and wishes relating to Hythe in measured forms; this letter went to him by the post of the 17th inst., and was to be made use of according to his discretion, but He has not yet acknowledged the receipt of it. This was the reason I delayed writing to Mr. Hatton, to which I may add my expectation that a proper Colleague might be found for Mr. Evelyn, which is however not yet fixed on. Mr. Evelyn sees all the difficulties that lie in his way, but is determined to push his point. Unfortunately he is detained in town by some family business that prevents his setting out immediately—we agreed that it was absolutely necessary to have somebody to canvass the town in favour of Mr. Mercer to be chosen Mayor the ensuing year, accordingly I write by this messenger to Mr. Hatton and Mr. Gipps, to desire that favor of them as we could not presume to hope you would take that trouble, tho' if you could be prevailed on it would be the most likely way to succeed.

"While I am writing I receive the favour of your second letter of the 22nd. Whatever difficulties may now occur I think we cannot deviate from our plan of canvassing, and as I cannot now for want of time enter into all the interesting particulars of your letter I beg leave to refer to the enclosed for Mr. Hatton, which is left under flying seal for your perusal."

23 Jan., 1767. William Evelyn to William Deedes.

“Lord Holdernessee hath communicated to me y^r Letter to him of y^e 21st inst. We both agree, that the most essential thing to be done, is to prevent the making Honorary Freemen, and whatever attachment the Tournays may have to Lord George’s Interest, it seems Extraordinary that they sh^d be so blind to their own as to join in pursuit of a Plan, that w^d make their Family of less consequence hereafter. But in order to prevent this Measure, it seems equally necessary, to secure a Mayor in our Interest, as to resist at the next Court Day the Plan of our Adversaries. We are already behind hand wth them, as they have been for some days Canvassing in favour of William Tournay, while we have had nobody to speak in our favour. L^d Holdernessee and I both agree, that could we have ventured to have proposed giving you such Trouble, nothing could have been more Advantageous to the Cause. But as no time is to be lost, L^d Holdernessee writes to Mr. Hatton to go over to Hythe, and jointly wth Mr. Gipps, who is also wrote to to solicit Votes for Mr. Mercer Senr., upon the supposition that you w^d think it too much Trouble, tho’ at the same Time your Appearance wth them, would be of much greater Efficacy. We cannot Judge at this distance whether it may be advisable to push to replace the Vacancy among the Commoners wth Friends of our own. In that Point Mr. Hatton will govern himself, by what he can collect up the Place, and we shall be particularly obliged to you, for any Hint you may think proper to give him.”

24 Jany., 1767. Lord Holdernessee to William Deedes.

“Mr. Hatton came to London unexpectedly last night, but, however, no considerable inconvenience can result from it; he will wait upon you in his way to Hythe on Tuesday. Mr. Evelyn will also meet him at your House the same day; I beg to refer you to those Gentlemen for what I have farther to say relative to Hythe. Mount is come.”

24 Jany., 1767. William Deedes to Lord Holdernessee.

“Mr. Gipps’s Brother at Canterbury, received a Letter from Mr. Mount, of Deal, yesterday, to tell him that Mr. Hatton set out for London on Thursday morning, and this is confirmed by Enquiry at the Inn at Canterbury, from whence I find he went forward on that day; it was needless therefore to send the Messenger to Dane Court. Mr. Hatton’s absence, and no Steps having been taken in Consequence of your Letter to Mr. Best, drive me at this Juncture to take a Part I had no intention of appearing in, and I shall go early to-morrow morning to Mr. Brockman, and consult wth him and Mr. Gipps what to do, and if we

thereupon think it advisable I will go forward to Hythe, which is but 2 Miles distant. Your Lordship shall hear from Me from thence by Monday Post. You and Mr. Evelyn in your Letters both press the Canvass in Town for Mayor as essentially necessary, but take no Notice of the outlying Freemen, whereas there are not above 26 or 27 Residents in town out of near 90. Canvassing in Town can signify but little in respect of the whole Body. I have therefore sent a Messenger to Mount of Deal, to desire him to go immediately to London, and to wait upon You for your Directions about the Freemen his Relations, whom I mentioned in my Letters to You, or any others whom he may by your List find within Distance. He will probably be with you about 6 on Monday ^{Ev^g}; should any Thing prevent his going I have desired Mr. Gipps of Canterbury to let you know it by to Morrow's Post. This I will take upon myself to do, as was I not to send to him before I go from home it might be too late afterwards applying to other outlying Freemen will depend upon consulting Mr. Brockman and Mr. Gipps. I took the Liberty of mentioning in one of my Letters to your Lordship, Capt. Bray, a half-pay Navy Capt. at Deal, thinking You might know how to influence him. I understood from William Mercer that you told him Sir B. Bridges was with Us; if he has not promised you to attend, you will excuse my reminding you, in Case you should choose to write to him. I believe he is not yet gone to his House in George Street, but is at Goodneston, near Wingham, Kent."

28 Jan., 1767. Lord Holderness to William Deedes.

"At my Return from the House of Lords at five o'clock this Afternoon, I found to my no small Surprise, Mr. Hatton unexpectedly returned. He delivered me Your Letter, and gave me an Account of what had pass'd at Your House.

"Before I enter into the purport of your Letter it may not be amiss to premise, that the only view I have pursued is an Endeavour to preserve the Independency of the Borough of Hythe, in Opposition to an Interest which is now become a forcible and an unnatural one. In this View, I have Endeavoured to follow by every Means, the Step that I thought would be most agreeable to those Gentlemen of Family and Fortune who might be likely, and had a Right to embark in the same Cause. It was with that View that I immediately embraced Mr. Evelyn's proposals and determined to use my best Endeavours in his Favour. And in order thoroughly to combat the Interest we mean to oppose, and not to leave the least Room for Suspicion that for private Views of my own I should admit of a Softening in favour of a Friend, I dissuaded Colonel Amherst from

offering his Services again for Hythe at the General Election, tho' there are few Gentlemen whom for many Reasons I would sooner have wished to have obliged. Mr. Evelyn will have explained to you the Reasons that induced me to think it absolutely necessary his Colleague should be fixed before Candlemas, as he would otherwise have been liable to the whole Expense (probably a large one) that may attend the present Struggle for a Mayor. You may likewise know from Mr. Evelyn, that I never proposed to him to take Mr. Rofey for his Colleague, till we had both despaired of hitting upon any Gentleman of the County likely to venture upon, and to succeed, in this Undertaking, which you know not to be an easy one. I have little or no Acquaintance with Mr. Rofey, but by Character, and finding his purse able, and his Mind willing to stand the Expense, and that even he would venture to risk the Charge attending the Choice of a Mayor, tho' he was told if we failed in that attempt it might frustrate his future Hopes of getting into Parliament there. Had there been a possibility of consulting you before the Resolution was taken, you would certainly have heard from Mr. Evelyn and myself before any Thing was finally determined. But the Emergency was so great, and the Time so short that it appeared to Us Nothing remained but to close with Mr. Rofey, which accordingly I did on Monday Morning. Having premised thus much, I leave you to imagine the perplexity in which Your letter has thrown me, and the painful Dilemma under which I write to You of breaking thro' the Engagements I have entered into with Mr. Rofey, or of indisposing those few who are disinterestedly zealous in the Cause I mean to promote. And to encrease my Difficulty, Mr. Hatton tells me it was Your joint Opinions he should return to Hythe immediately, So that I have no Time to consider what I ought to do or what I can do upon so delicate an Affair. I think myself very unfortunate that I never should have heard any Thing of Mr. Sawbridge's former Thoughts relating to Hythe. Had I had the least Knowledge of his Intention, I should certainly have come to no Resolution without speaking to him, And if I had found his Thoughts upon publick Affairs at all analogous to my own as to persons and Things, which cannot well be separated in the present Moment, I should most certainly have preferred a Kentish Gentleman of Fortune to any other whatsoever. But it is Time to relieve You from a long preface, and to bring the Matter to some fixed point. I will freely confess to You that the Difficulties thrown upon me when I least expected them staggered me, and I was surprized to find when a Cause was to be defended a person willing and able to support it by Expence should be

objected to. But as Mr. Evelyn, who is the principal person concerned, does not hesitate, as I am informed by Mr. Hatton, at risking the Expense of the present Struggle for a Mayor, I will not let his Interest suffer, nor the Cause in which I am engaged be defeated from thinking myself unkindly treated. I will therefore disengage myself from Mr. Rofey, which I can only do by shewing him, that contrary to my Expectation he would not be supported by those Gentlemen who have an independent Interest in the Place. I will likewise see Mr. Sawbridge as soon as possible, and if I can settle Matters between him and the King's Servants I will gladly contribute to his Success, as you tell me he will be a person agreeable to you and Your Friends."

13 Feb., 1767. William Evelyn to William Deedes.

"Having had the ill fortune of neither seeing L^d Holdernesse, nor Sawbridge, my Mind is very far from easy as to this Undertaking of ours. I intend being in the Town again on Tuesday, and it would make me very happy to meet you there if it would not be very inconvenient to you. We might see Sawbridge, we might see L^d H——^{se}, and come to some certain Method of proceeding, which at this Time is absolutely necessary. I know L^d H—— wishes much to meet our Association and consult with us, nay he said as much to me the day I left St. Stephen's. If you can without great Inconvenience, do come. One Interview will be more efficacious than five Volumes of writing."

22 Sept., 1767. John Sawbridge to William Deedes.

"The moment after I had answered Evelyn's letter, I wrote to Lord Holdernesse and enclos'd to him Evelyn's and your letter, and let him know my opinion, to which he sent for answer that He thought entirely with me that it would be wrong to meet the Adversary at Hythe, but quite necessary to go thither as soon as they had quitted the field; that He shou'd dine at home, and wish'd I wou'd come to him to consider what steps were to be taken. I accordingly went, and it was agreed that the Treasury were to be prep^d to do something immediately for Stacey and Slodden. He is to see the Duke of Grafton to-day, and I am to be with him to-morrow, likely for the last time before He goes into the North. Stokes and the two Questeds I am very well with. Chinnery was with me this day to dinner, and tells me our mony shall be taken in preference to that of our Antagonists by him and the Staceys, who were all determin'd to go together. I assur'd him that was all We cou'd expect. In regard to the Young Lady of the Simmonds' family, I have received a letter this post from Sergeant Major, from which I fancy We may carry our Scheme into execution but not

exactly in the way We propos'd. I find by the Information of Chinnery that there are two females of the Stacey Family marriageable, so These must be added to the list, as I daresay they will get Husbands before the Election. Marriot I learn is at Brighthelmstone; his Wife, who is an Idiot, has found me out, and tormented me a good deal within these few days. I shall write to a friend in Sussex to look after the Husband. You may depend on it no diligence shall be wanting on my side."

23 Sept., 1767. John Sawbridge to William Deedes.

"I this day met Evelyn and Lord Holdenesse at the Duke of Grafton's, and there it was fix'd that Whitfield shou'd have a Land Carriage Surveyor's Place now vacant, and that Stacey shou'd have a Tide Waiter's Place immediately, but that Slodden must wait till Sol. Sparks could find out something against Jordan, and that then He wou'd succeed Sparks. I hope something will be done in that affair, as I am apprehensive from that Quarter. We think it will not be necessary to visit Hythe till after the Maidstone Meeting, but to go there from thence. I am extremely impatient to know what has happened upon this Declaration."

24 Sept., 1767. William Evelyn to William Deedes.

"On my return home this afternoon I rec^d yours. I need not repeat to you what pass'd at y^e D. of G——, as Sawbridge promised me to write to you by last Night's Post from London, and give you the Particulars. We agreed to defer our Visit to Hythe till after y^e 5 of Oct^r hoping by that Time Whitfield will be appointed to a new Place, and that we s^d be able to arrange y^e Kingsfords to their Mind and settle them. The Duke seems most heartily our Friend. I proposed to him P. Burrell to oppose the S—— for y^e County; he liked the thought, and I went to P. B.'s house at Beckenham immediately, and made the offer to him. He seemed inclined to accept it, and is this Morn : gone to Town to wait on L. H., and to go from thence to the D. of G——. I hope we shall be able to kick up a Dust. Sawbridge seems settled steadily in our Cause. He told me, according to his List, supposing our former Friends were steady, we were at present 11 ahead, exclusive of T. M. and B. R."

26 Sept., 1767. John Sawbridge to William Deedes.

"Your letter conveys pretty much what I expected. Neither the Kingsfords nor Harrises are cordially our friends, but I hope from the present arrangement they will find it their interest to be with Us. Evelyn and I think of going to Hythe from Maidstone, which I should suppose will be soon enough, and I hope

we then shall be able to leave our Affairs so settled as that nothing but a Change above can hurt us. You are certainly quite right as to your Idea of keeping the Whole Familys in our Interest."

29 Sept., 1767. John Elias Sawbridge to William Deedes.

"Mr. Le Geit has sent for Goldup, the Father of the Person who is to be married to Simmons's Daughter, of Hothfield. The Other Side have offered to put the young man into a Farm at Michaelmas, to Stock the Farm for him, to give him the Stock and One Year's Rent—Tournay's Farm at Elham, rated at £45 p. ann. He spoke to him in the name of Mr. and Mrs. Barrett, and the Old man promised if he had any Influence over the Son, he should not engage to them, till he had seen Mr. Sawbridge. He said he thought in less than a weeke his son would be much pressed. Have wrote to Mr. Sawbridge by this post. Monk has been told you would send him an answer."

The fight for the Borough which commenced in January, 1767, appears to have continued until the Election, 16 March, 1768, and the means taken to defeat Lord George Sackville are evident from the correspondence.



PART V.

The inhabitants were pressing their rights and taking up their freedom, although it was still confined to the sons of Freemen, to those who had married daughters of Freemen, or to those who received it by gift.

7 October, 1774. This was another contested Election. The Mayor, 10 Jurats, 18 Commoners, and 62 Freemen voted, the result being :

Sir Charles Farnaby (vide 1768)	66	} Elected.
William Evelyn	„	...	...	59
John Sawbridge	„	...	...	38

This is the largest number ever recorded to have polled up to this date.

John Sawbridge was returned the same year for the City of London.

9 September, 1780. At this Election the Mayor, 11 Jurats, 18 Commoners, and 76 Freemen voted, the result being :

Sir Charles Farnaby, Bart (vide 1768)	...	...	62	} Elected.
William Evelyn	„	...	61	
Richard James	...	...	42	
John Stephenson	...	...	44	

1 April, 1784. The Mayor, 10 Jurats, 19 Commoners, and 86 Freemen were present. Before the votes were taken, upon the demand of two of the electors, the Bribery Oath was administered, and taken by every Freeman before he voted ; the numbers were—

Sir Charles Farnaby Ratcliff, Bart (vide 1768)	...	61	} Elected.
William Evelyn	...	55	
John Sawbridge	...	38	

Sir Charles Farnaby had taken the name of Ratcliff.

17 June, 1790. The Mayor, 8 Jurats, 12 Commoners, and 54 Freemen returned Sir Charles Farnaby Ratcliffe, Bart., and William Evelyn unopposed.

25 May, 1796. The Mayor, 9 Jurats, 13 Commoners, and 38 Freemen again returned Sir Charles Farnaby Ratcliff, Bart., and William Evelyn unopposed.

27 November, 1798, was a bye-election caused through the death of Sir Charles Farnaby Ratcliff, Bart. The Mayor, Jurats, and 49 Freemen attended. The candidate was the Honble. Charles Marsham, the eldest son of Lord Romney, who was returned unopposed, having been previously at this same meeting elected a Freeman; and on 2nd February, 1801, he was elected a Jurat.

The Parliament of 1801 is not mentioned in the Minutes of the Town Council. The Members for England then sitting were declared by proclamation to be members of the first Parliament of the United Kingdom, which was to meet on the twenty-second of January, 1801.

5 July, 1802. This election was evidently an exciting one. 37 persons claimed their Freedom, and were admitted at the Meeting before proceeding with the election, the numbers being :

Matthew White	....	....	....	....	104	} Elected.
Thomas Godfrey	....	....	....	....	92	
Viscount Marsham (vide 1798)			...	....	90	
Alexander Evelyn	....	....	....	....	71	

At the annual assembly on 2nd February, 1803, a motion for conferring the Freedom of the town on Matthew White and Thomas Godfrey, the two Barons in Parliament, was, as the Minute expresses, "carried in the negative," there being 6 for the motion and 17 against it.

31 October, 1806. This election appears to have been warmly contested. Nineteen Freemen claimed and obtained their Freedom, as the sons, or having married the daughters of ancient Freemen, the result being :

Viscount Marsham (vide 1798)	....	....	149	} Elected.
Thomas Godfrey (vide 1802)	....	....	90	
Matthew White	..	....	62	

On the 2nd February following, the Freedom of the town was given to Mr. Godfrey.

7 May, 1807, was another contested election, the result being—

Thomas Godfrey (vide 1802)	....	....	109	} Elected.
William Deedes	....	....	104	
Matthew White (vide 1802)	....	....	93	
Thomas William Plummer	....	....	66	

William Deedes, of Sandling Park, was grandfather of the late Col. Deedes.

19 March, 1810. This was a bye-election to fill a vacancy caused by the death of Thomas Godfrey. There were three candidates.

Sir John Perring, Bart.	....	....	....	90	Elected.
John William Head Bridges	....	...	....	51	
William Busk	....	....	....	49	

Sir John Perring was, on 2nd February following, admitted to the Freedom of the town.

7 October, 1812, there was again a contest, the numbers being—

Sir John Perring, Bart (vide 1810)	158	} Elected.
Matthew White (vide 1802)	....	....	123
Thomas William Plummer (vide 1807)		...	69	

Sir John Perring was a City Merchant, and connected with the India House ; he had been Lord Mayor of London in 1803.

The Freedom of the town was conferred on Matthew White, at the Annual Meeting, on 2nd February, 1813, but not without a division, there being 12 for and 3 against.

19 June, 1818, there was another contested Election ; 33 persons claimed their right, and were admitted Freemen, the result being—

John Bladen Taylor	....	....	....	167	} Elected.
Sir John Perring, Bart. (vide 1810)	....	....	....	116	
Sir John Courtenay Honeywood, Bart.	....	....	....	45	
Matthew White (vide 1807)	....	....	....	22	

Sir J. C. Honeywood, of Evington, was great grandfather of the present Sir John Honeywood.

19 May, 1819. This was a bye-election in consequence of John Bladen Taylor having accepted the Chiltern Hundreds. Fifteen persons claimed their Freedom before the Election, and were admitted, the result being—

Samuel Jones Lloyd	....	....	157	Elected
Sir John Courtenay Honeywood, Bart. (vide 1818)			90	

On the 2nd February, 1820, a motion to give the Freedom to Mr. Lloyd was negatived by 14 to 11. Mr. Lloyd was afterwards created Lord Overstone.

8 March, 1820. The Mayor, 5 Jurats, 17 Commoners, and 48 Freemen elected Samuel Jones Lloyd and Stewart Marjoribanks Barons, without opposition, and at the meeting of the Corporation on 2nd February, 1821, the Freedom of the town was given to both Barons by 12 votes to 2.

9 June, 1826. The Mayor, 4 Jurats, 15 Commoners, and 72 Freemen, elected Stewart Marjoribanks (vide 1820) and Sir Robert Townsend Townsend Farquhar, Bart., formerly M.P. for Canterbury, the first British Governor of Jamaica and the Mauritius, a Director of the East India Company, Barons without opposition. Before the Election 28 persons claimed their Freedom, as the sons or as having married daughters of Freemen.

26 March, 1830. This was a bye-election, caused by the death of Sir Robert Townsend Townsend Farquhar. There were present the Mayor, 2 Jurats, 15 Commoners, and 97 Freemen, John Loch, Esq., was elected without opposition. 14 persons were admitted Freemen previous to the election.

John Loch was from Midlothian, Captain R.N., and a Director of the East India Company, of which he was twice Chairman. His only daughter married Edward Marjoribanks, the brother of the present Lord Tweedmouth.

1830. The Reform of Parliament was now the question of the day; the death of George IV., and the succession of William IV., who was favourable to Reform, gave an impetus to the cry. The Duke of Wellington refused all concession, but he was driven from office, and for the first time for 20 years the Whigs came into power under the leadership of Earl Grey. A Bill for Parliamentary Reform, which took away the right from 56 decayed Boroughs, gave 143 members to Counties and large towns which had hitherto been unrepresented, established a £10 householder qualification in Boroughs, and extended the county franchise to leaseholders and copyholders, was laid before Parliament in 1831. On its defeat an appeal was made to the country. The new House at once passed the Bill. It was rejected by the Lords, and its rejection was followed by great agitation all over the country; it was again passed by the Commons, and the Lords suffered it to become law on 7th June, 1832.

The excitement in Hythe during these times is still remembered by some of the old inhabitants. The effect of the Bill was to take away one of the Barons, and to extend the Parliamentary Borough (which had hitherto been confined to the old Borough of Hythe, comprising the Parish of St. Leonard, Hythe, and the parts of West Hythe and Aldington, within the old Borough), so as to include the Liberties of the Town of Folkestone, and the several parishes of West Hythe, Saltwood, Cheriton, Folkestone, and Newington (except that detached part of Newington called Marwood Land.) The rights of the Freemen as regards voting for the Member as in other Towns was reserved, and also the right of claiming the Freedom in the case of Birth, or Marriage with a Daughter of

a Freeman; but the right of giving the Freedom to other persons was taken away, and no Freeman could vote who resided beyond 7 miles from place of poll.

There is not much on the minutes to show the strong and bitter feelings which arose in the discussion of these questions, but we can gather from the formal entries that Hythe was not behind in asserting the rights of the people to share in the government of the country.

At an Assembly on 2nd August, 1830, the old Barons, Stewart Marjoribanks, and John Loch, were opposed by Fitzroy Kelly and William Fraser; the proceedings commenced by 30 persons taking up their Freedom in right of Birth or Marriage. John Loch, and the Town Clerk, Edward Watts, were given their Freedom; and six others, under the leadership of Capt. Hart, attended and claimed their Freedom on the ground that "they were Inhabitants, having paid Scot and Lot for a year and a day, and possessing a Freehold of the yearly value of 40s. and upwards."

The result is recorded as follows :—

"The above parties, on their being asked for their production of Certificates, did not produce any of their being sons of Freemen, or having married the daughters of Freemen. Whereupon this assembly refused granting such several admission by the voice of all the members of the Corporation, save one who did not vote."

The election lasted two days, and ended in the total defeat of the Reformers; the numbers being—

Stewart Marjoribanks (vide 1820)	....	....	270	} Elected.
John Loch	..	....	270	
Fitzroy Kelly (afterwards Chief Baron Kelly)	...	...	8	
William Fraser	....	....	8	

But the Opposition, although badly beaten, evidently made a determined struggle, for, according to the Minutes, the whole of the Jurats and Freemen were objected to on the ground "that they were not legal Jurats or Freemen;" which objections (it is recorded) in each instance were overruled. As a fact, an objection was raised to each one of the 270 who voted for Marjoribanks and Loch.

In addition to this, 209 persons, whose names are recorded, attended at the Poll Table and tendered their votes for Fitzroy Kelly and William Fraser claiming to be entitled to be Freemen, and at the same offered to take the Bribery Oath. The Mayor declined to tender the Oath to them, or to admit them to vote.

A petition was presented by Fitzroy Kelly and William Fraser, to the House of Commons against the Barons, and it appears from the Minutes that the Petition alleged that the Mayor, George Shipdem, Esq., had, as returning officer, acted with partiality and injustice towards the Petitioners; but the Assembly deemed the said charges to be perfectly groundless, and ordered any proceedings instituted against the said George Shipdem arising from the said Petition to be defended at the charges of this Corporation.

The Petition was duly heard by the Select Committee of the House, the Committee finding that Stewart Marjoribanks and John Loch were duly elected Barons for the Town and Port of Hythe.

A dissolution, as before stated, followed the rejection of the Reform Bill in 1831, and at an assembly on 9th April, 1831, the excitement appears to have subsided, for the old members, Stewart Marjoribanks and John Loch, were returned unopposed, there being present the Mayor, 4 Jurats, 2 Commoners, and 122 Freemen.

This was the last election of two Barons, and the new Electorate in the enlarged Borough proceeded on 11th December, 1832, to elect one Baron. The candidates were Stewart Marjoribanks and William Fraser, the numbers being—

Stewart Marjoribanks (vide 1820)	...	...	226	Elected.
William Fraser	...	...	198	

The numbers voting in the Old Borough and the added districts were as follows :—

			Marjoribanks	Fraser
Hythe Old Borough	...	...	46	93
Folkestone	...	...	103	45
Cheriton, Newington, Saltwood	...	...	77	60
			<hr/> 226	<hr/> 198

At a meeting of the Corporation held on 1st June, 1836, it was moved, seconded, and carried that the approbation and thanks of the Town Council be conveyed to Stewart Marjoribanks, Esq., M.P., for the honest and independent votes he has given in Parliament during the present Session, and the following letter was directed to be sent to him :—

“ To Stewart Marjoribanks, Esq.

“ Sir,—We, the Mayor, Aldermen, and Town Council of Hythe deem it an indispensable duty to convey to you the expression of our unmingled regret at

your retirement from the representation of the United Borough, and our unqualified approbation of the manner in which you have discharged your duties as a Member of the British Legislature.

“Unfettered either by party, or by pledges, supporting in general the principles acted on by the present Liberal Administration, yet reserving and exercising the right of recording your own sentiments, even in opposition, you have displayed by your votes in Parliament not only uniform liberality, but also such perfect independence as to merit the respect as well as the gratitude of your constituents.

“For the honourable and consistent course which you have thus maintained, aiding in the removal of every recognised abuse, ameliorating the laws and institutions, and furthering above all the sacred cause of civil and religious Liberty, we hereby respectfully offer you our unfeigned acknowledgments. Nor can we omit to notice the deep obligations under which you have laid the town and neighbourhood of Hythe, by your unremitting and generous attention to their local interests, as well as by those numerous interests of disinterested private munificence to which we need not make more particular allusion.

“We beg, in conclusion, to express our heartfelt wishes for your continued happiness and prosperity, and our evident hopes that whether in the bustle of public life, or the bosom of retirement, you may be cheered by the consciousness of having as a Member of Parliament fearlessly done your duty, and enjoy the still higher gratification of being spared to see brought to a happy consummation many of those measures of improvement which may be anticipated as the rational and inevitable results of those already secured.

“Given under the Common Seal of the said Borough, the 7th day of June, 1837.”

Mr. Marjoribanks, third son of Edward Marjoribanks, of Lees, County Berwick, and uncle to Lord Tweedmouth, was a great shipowner, especially of East Indiamen. His portrait hangs in the Town Hall, Hythe, and another of Charles James Fox, presented by him to the town, with two small pictures of the “Kent,” East Indiaman, and another ship belonging to him. The “Kent” was afterwards burnt at sea. Mr. Marjoribanks lived at Cliff House in the Lower Sandgate Road, Folkestone. He was a Whig with very Liberal tendencies; was in opposition until the Reform Bill, and afterwards supported Earl Grey, Lord Althorp, Lord Melbourne, and Lord John Russell.

5 January, 1835. Stewart Marjoribanks (vide 1820), was returned unopposed ;

he accepted the Chiltern Hundreds in 1837, and on 16th May of that year William Hugh Elliott, commonly called Viscount Melgund, was elected Baron. Lord Melgund was afterwards Earl of Minto, and died in 1891.

25 July, 1837. The Candidates were Viscount Melgund and the Honourable William Horsley Beresford, the present Baron Decies, the numbers being :

Viscount Melgund (vide 1835)	...	243 Elected.
The Hon. Captain Beresford	....	136

29 June, 1841. Stewart Marjoribanks was again elected. Mr. Fraser was also a candidate, but withdrew.

31 July, 1847. Edward Drake Brockman, a Liberal, was the fifth son of James Drake Brockman, of Beachborough, Newington, near Hythe. He was a Barrister, a member of the Home Circuit, and Recorder of Hythe. He was opposed by Baron Mayer Amschel de Rothschild, another Liberal, and the votes recorded were Brockman, 211; Rothschild, 189.

The election was fought out with great bitterness, and never, according to those who still survive to tell the tale, had the right of a vote in Hythe been so valuable.

9 July, 1852. Mr. Brockman's re-election was opposed by Mr. Standish Motte, Barrister, also a Liberal. Poll: Brockman, 512; Motte, 98. Mr. Brockman retired at the dissolution in April, 1857.

28 March, 1857. Sir John William Ramsden, Bart., of Byram, West Riding, County York, a Liberal, who afterwards represented a division in Yorkshire. He was opposed by Colonel, afterwards General Aitcheson Hankey, of Sandgate, a Conservative, and Mr. Gordon Thompson, deputy chairman of the South Eastern Railway Company, who was also a Liberal, but the latter withdrew, and the Poll stood—Ramsden, 490; Hankey, 258.

Sir John Ramsden accepted the Chiltern Hundreds in 1859, and there were no less than five candidates for the vacant seat. Baron Mayer Amschel de Rothschild, James Plasted Wylde (afterwards Lord Penzance), The Honble. M. Campbell (afterwards Lord Stratheden), Samuel Laing, the present chairman of the Brighton Railway Company, and General Hankey. Baron de Rothschild, a Liberal, was returned, all the others having withdrawn.

29 April, 1859. Baron de Rothschild (vide 1852) was returned unopposed.

11 July, 1865. Baron de Rothschild was again returned unopposed.

1867. By the Reform Act of this year the Franchise in the Boroughs was extended to all occupiers, without any limit as to the value or rental of the

premises, and thus the efforts of the "scot" and "lot" payers who had fought for what they considered their rights for so many years, were at length successful; whilst Liberal administrations had, from time to time, proposed a limited franchise, it remained for the great Conservative chief, Lord Beaconsfield, to hand back to the people their privileges of taking part in the government of the country, of which they had been deprived so many centuries. He trusted them, and after some 20 years' experience, no one can doubt that his trust was not misplaced. Under the Act the return of a "Baron," which had existed for six centuries, to Parliament, disappears, and the writ directed a "Member" to be returned.

18 November, 1868. Baron Rothschild, opposed by Albert Nugent, a Conservative, and Captain Montague Meryweather, a Liberal; the latter withdrawing before the election, and the numbers being:

Baron Rothschild	1268	Elected
Albert Nugent	521	

Majority	747
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31 January, 1874. Sir E. W. Watkin, opposed by Capt. Meryweather.

Sir E. W. Watkin	1347	Elected
Capt. Meryweather (vide 1868)		300	

Majority	1047
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Sir Edward William Watkin, of Rose Hill, Northenden, Cheshire, is the son of the late Mr. Absalom Watkin, one of the most prominent members of the League for the Repeal of the Corn Laws. Sir Edward as a young man also worked hard in the same cause, and in the great struggles for Civil and Religious Liberty, and has ever been foremost in all works for the amelioration of the position of the working man. He has always been an independent Liberal, forming one of the Cave of Adullum at the time of Lord John Russell's Reform Bill in 1866, and in more recent times joined Lord Hartington on the Irish Question. He represented Stockport from 1864 to 1868. He was returned for Hythe in 1874, on the retirement of Baron Rothschild, through ill health, and has ever since represented the Borough, where his many public and private charitable acts are well known and greatly appreciated. In these he was ably assisted during her lifetime by his wife, the late Lady Watkin, whose kindness to the poor still lives in the memory of the many recipients of her bounty.

Sir Edward is chairman of the South Eastern, the Manchester and Sheffield, the Metropolitan, and the East London Railways, and he may well be considered as the highest Railway authority in the country. His establishment of the South Eastern Railway Savings Bank, which has since been followed by most of the Railways in the Kingdom, was of the greatest benefit to thousands of men who labour under him, and is only one of the many thoughtful acts with which his name will ever be connected. His persistent efforts to carry out the great work of the Channel tunnel have so far been unsuccessful on account of the opposition of the Government, but if it leads (as there seems every probability to believe it will) to the discovery of coal at Dover, it will have been the means, at least from a commercial point of view, of revolutionising the whole of the South East of England.

Sir Edward was Knighted in 1868, and created a Baronet in 1880. He is magistrate for Manchester, and for the counties of Kent, Lancashire, and Cheshire, of which latter county he was High Sheriff in 1880.

30 March, 1880. Sir E. W. Watkin (vide 1874); returned unopposed.

December, 1885. Sir E. W. Watkin; opposed by Alpheus Cleophas Morton, member of the Common Council of London, a Radical, who now represents Peterborough, the numbers being :

Sir E. W. Watkin (vide 1874)	....	2247	Elected
A. C. Morton	....	797	
Majority		1450	

July, 1886. Sir E. W. Watkin (vide 1874) returned unopposed.

July, 1892. The like.

The number of voters on the Parliamentary Register for the Borough is as follows :

Hythe Polling District	...	882
Folkestone ditto	....	2648
Sandgate ditto	....	689
		4219



THE REVERSE OF THE SEAL.



THE COMMON SEAL OF THE BOROUGH OF HYTHE.

